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ABSTRACT

This document, 1 in a series of 10, presents state profiles of the results of a systematic examination of child care agencies and their involvement with out-of-state residential care for children. This volume contains profiles of the South Central states of Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas. Each state profile contains five sections. The first two sections identify the officials in state government who facilitated the completion of the study and describe the general methodology used to collect the information presented. The third section offers a basic description of the organization of youth services as they relate to out-of-state placement policies. The fourth section offers annotated tables about that state's out-of-state placement practices. The discussion of the survey results includes: (1) the number of children placed in out-of-state residential settings; (2) the out-of-state placement practices of local agencies; (3) detailed data from agencies that placed five or more children; (4) use of interstate compacts by state and local agencies; (5) the out-of-state placement practices of state agencies; (6) state agencies' knowledge of out-of-state placement. The final section presents observations and conclusions about state and local out-of-state placement practices that were gleaned from the data. (Data reported are for 1978.)(KC)

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MAJOR ISSUES IN JUVENILE JUSTICE INFORMATION AND TRAINING

The Out-of-State Placement of Children: South Central State Profiles

Arkansas • Colorado • Kansas • Louisiana • Mississippi
Missouri • New Mexico • Oklahoma • Texas

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ABOUT THE STATE PROFILES

This is one of six volumes which report the most ambitious study of the out-of-state placement of children ever undertaken in America. The master volume, The Out-of-State Placement of Children: A National Survey, contains the main text of the study report, plus appendixes which explain the methodology of the study and detail relevant interstate compacts on the subject.

Central to the usefulness of the study report, however, is the use of the detailed profiles of out-of-state placement practices in the 50 States and in the District of Columbia. This volume contains, in the order listed, these State profiles:

Arkansas	AR
Colorado	CO
Kansas	KS
Louisiana	LA
Mississippi	MS
Missouri	MO
New Mexico	NM
Oklahoma	OK
Texas	TX

Other volumes, as listed in the master volume, report on Western, North Central, Northeastern, and Southeastern States. A further report on the study, in two volumes, is called Out-of-State Placement of Children: A Search for Rights, Boundaries, Services.

Each state profile presents the results of a systematic examination of their child care agencies and their involvement with out-of-state residential care for children. The information is organized in a manner which will support comparisons among agencies of the same type in different counties or among different types within the state. Comparisons of data among various states, discussed in Chapter 2, are based upon the state profiles that appear here.

The states, and the agencies within them, differed markedly in both the manner and frequency of arranging out-of-state placements in 1978. The organizational structures and the attendant policies also varied widely from state to state. Yet, all state governments had major responsibilities for regulating the placements of children across state lines for residential care. The methods employed by state agencies for carrying out these responsibilities and their relative levels of effectiveness in achieving their purposes can be ascertained in the state profiles. As a result, the state profiles are suggestive of alternative policies which agencies might select to change or improve the regulation of the out-of-state placement of children within their states.

Descriptive information about each state will also serve to identify the trends in out-of-state placement policy and practice discussed in Chapter 2. State governments can and do constitute major influences upon the behavior of both state and local public agencies as they alter their policies, funding patterns, and enforcement techniques. The effects can be seen in changes in the frequencies with which children are sent to live outside their home states of residence. Ideally, these state profiles will serve as benchmarks for measuring change, over time, with respect to the involvement of public agencies in arranging out-of-state placements.

CONTENTS OF THE STATE PROFILES

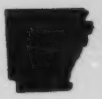
Each profile contains four sections. The first two sections identify those officials in state government who facilitated the completion of the study in the particular state. These sections also

describe the general methodology used to collect the information presented. The third section offers a basic description of the organization of youth services as they relate to out-of-state placement policies. The fourth section offers annotated tables about that state's out-of-state placement practices. The discussion of the survey results include:

- The number of children placed in out-of-state residential settings.
- The out-of-state placement practices of local agencies.
- Detailed data from Phase II agencies.
- Use of interstate compacts by state and local agencies.
- The out-of-state placement practices of state agencies.
- State agencies' knowledge of out-of-state placement.

The final section presents some final observations and conclusions about state and local out-of-state placement practices that were gleaned from the data.

It is important to remember when reading the state profiles that the tables contain self-reported data for 1978, collected by the Academy in 1979. They may not reflect all organizational changes that have occurred since that time and the data might be at variance with reports published after this survey was completed.



A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN ARKANSAS

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Jack Morgan, Supervisor of Federal Programs, State Department of Education; Larry Rogers, Commissioner of Special Education, State Department of Education; Mary Ann Carrington, Placement and Re-Integration Coordinator; Division of Youth Services, Department of Human Services; Bill Green, Coordinator of Statistical Services, Division of Mental Health Services, Department of Human Services; and Henrietta Jenkins, Deputy Commissioner, Division of Mental Retardation and Developmentally Disabled Services, Department of Human Services.

II. METHODOLOGY

Information was systematically gathered about Arkansas from a variety of sources using a number of data collection techniques. First a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Arkansas appears below in Table 04-1.

TABLE 04-1. ARKANSAS: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, By Agency Type: Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone interview Mailed Survey: DHS Officials	Telephone interview Mailed Survey: SDE Officials	Telephone interview Mailed Survey: DHS Officials	Telephone interview Mailed Survey: DHS Officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: All 382 school districts	Telephone Survey: Chief probation officers or referees in the 75 locally operated courts	Not Applicable (No Direct Services)

091 7

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Arkansas has the 27th largest land area (51,945 square miles) and is the 33rd most populated state (2,106,793) in the United States. The population is distributed among the state's 75 counties with over one-third of the citizenry residing in seven counties: Jefferson, Pulaski, Sebastian, Garland, Benton, Mississippi, and Washington. Consistent with this trend, the state has only nine cities with populations in excess of 25,000, and the most populated city is the capital, Little Rock, with a population of over 140,000. Only 50 percent of Arkansas' population lives in urban areas. The estimated 1978 population of persons eight to 17 years old was 372,961.

There are five Standard Metropolitan Statistical Areas in Arkansas and three of them include a portion of four contiguous states: Mississippi, Oklahoma, Tennessee, and Texas. The other contiguous states are Louisiana and Missouri.

Arkansas was ranked 31st nationally in total state and local per capita expenditures, 31st in per capita expenditures for education, and 29th in per capita expenditures for public welfare.[1]

B. Child Welfare

The Department of Human Services' (DHS) Division of Social Services (DSS) is responsible for the delivery of child welfare services to children and youth through its 49 district offices. These offices are supervised by eight regional offices. Among the division's administrative functions are the management of the Medicaid program, Early Periodic Screening and Detection program, crippled children's services, and Aid to Families with Dependent Children program.

Both the Interstate Compact on Juveniles (ICJ) and the Interstate Compact on the Placement of Children (ICPC) are administered by the Division of Social Services. The ICJ was enacted in 1961; however, the state did not become party to the ICPC until July 1, 1979.

C. Education

Although the State Department of Education (SDE) oversees educational programs for the 382 school districts in Arkansas, it does not administer programs, allocate funds, or assist the districts in placing children out of state. These school districts offer special education services as well as the normal K-12 curriculum. In addition, the local districts are able to place children out of state without reporting to the SDE. These placements are arranged usually for students with handicapped conditions, according to state officials.

Arkansas reportedly places very few children out of state from the school system. Instead, it was described that many of these placements are arranged and funded through the DHS branch offices.

D. Juvenile Justice

The Department of Human Services' Division of Youth Services (DYS) is the state agency responsible for juvenile corrections in Arkansas. Youth adjudicated by juvenile courts as delinquent, status offenders, at risk, dependent, or neglected are committed to the Division of Youth Services. The DYS's Residential Services Section operates two youth service centers and aftercare programs for delinquents. The Community Services Section provides funding and technical assistance to community agencies to care for youth in need. DYS officials reported that the agency has very little need to arrange out-of-state placements for juveniles under its care and custody.

E. Mental Health

The Division of Mental Health (DMH) Services, within the Department of Human Services, supervises state programs in the area of mental health and administers the Interstate Compact on Mental Health which Arkansas joined in 1959. Aside from operating the Benton Services Center, a public nursing home for extended care, the DMH contracts with seven private residential treatment facilities for disturbed adolescents.

Locally, mental health services are provided by 16 private mental health centers which staff and administer outpatient clinics, partial hospitalization centers, and in-patient programs within their service areas. The mental health centers are private nonprofit organizations, except for two which are state funded.

F. Mental Retardation

Within the Department of Human Services, the Division of Mental Retardation and Developmentally Disabled Services (DMRDD) supervises state-operated programs for developmentally handicapped and retarded individuals. The division operates six residential programs for the mentally retarded and supervises 102 day service centers and 14 community living centers which are administered by private nonprofit agencies throughout the state. The Office of Community Services, and Placement and Referral Services coordinate the care received by clients in the state and privately operated service agencies. Neither the division nor the privately operated agencies are subject to restrictions on placing children out of Arkansas, but they must first demonstrate that in-state services are not available. It was reported that out-of-state placements are sometimes arranged by the private nonprofit service providers, but the DMRDD must be notified if such placements occur.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The findings from the survey of state and local agencies in Arkansas follow in tabular form and are accompanied by interpretative remarks which highlight major trends in the data. The findings are put forth in such a way that they respond directly to the major issues associated with out-of-state placements of children.

A. The Number of Children Placed in Out-of-State Residential Settings

Table 04-2 provides an overview of the total number of out-of-state placements reported arranged in 1978 by each agency in state government and in local government, by agency types. The maximum number of children placed in other states by Arkansas state and local agencies was 101; however, that number may be elevated due to duplicative reporting resulting from interagency cooperation to arrange placements (see Table 04-6). Further review of Table 04-2 reveals that the state child welfare and juvenile justice agencies arranged 32 out-of-state placements that year, and that local juvenile justice agencies initiated 51 such placements. Seventeen children were placed out of Arkansas by the state agencies responsible for mental health (DHS/DMH) and mental retardation (DHS/DMRDD). Finally, the state and local education agencies reported arranging only one out-of-state placement in 1978. The practice of out-of-state placement, then, generally was confined to DHS and the local juvenile justice agencies.

TABLE 04-2. ARKANSAS: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type					
	Child Welfare/ Juvenile Justice[a]	Education	Juvenile Justice	Mental Health	Mental Retardation	Total
State Agency Placements[b]	32	0	--[a]	10	7	49
Local Agency Placements	--	1	51	--	--	52
Total	32	1	51	10	7	101

-- denotes Not Applicable.

a. A single response was received from DHS which included out-of-state placement information for both its Division of Social Services and Division of Youth Services, which is displayed in the appropriate column of this table.

b. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 04-15 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 04-3 focuses attention on local Arkansas agencies by indicating the number of out-of-state placements arranged by each local agency, its corresponding county of jurisdiction, and the estimated 1978 population of persons eight to 17 years old. Such information is useful for examining the relationship between the incidence of out-of-state placements, geography, and youth population. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all within them. It is apparent in Table 04-3 that placement involvement is fairly evenly distributed among the juvenile justice agencies, with eight out-of-state placements being the highest number made by any one agency. Further, the 17 agencies arranging out-of-state juvenile justice placements in 1978 had jurisdiction in counties with juvenile populations ranging from 1,086 to 54,570, and one of the agencies which arranged eight out-of-state placements was in a county with only 2,510 juveniles eight to 17 years old. It is also important to observe that the one child placed out of state by a local education agency attended a school district in LaFayette County, which has an estimated youth population of 1,813. Clearly, the out-of-state placement of children by local agencies in Arkansas was to a great extent a rural phenomenon involving many agencies with jurisdictions in counties with less than 5,000 persons eight to 17 years old.

TABLE 04-3. ARKANSAS: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Arkansas	4,349	0	0
Ashley	4,925	0	0
Baxter	2,623	0	0
Benton	9,356	0	0
Boone	3,705	0	1

TABLE 04-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Bradley	2,096	0	0
Calhoun	917	0	0
Carroll	2,009	0	0
Chicot	3,917	0	0
Clark	3,294	0	3
Clay	3,458	0	0
Cleburne	2,260	0	0
Cleveland	1,191	0	0
Columbia	4,391	0	0
Conway	3,328	0	3 est
Craighead	9,594	0	2
Crawford	5,622	0	0
Crittenden	11,290	0	0
Cross	4,215	0	0
Dallas	1,784	0	0
Desha	3,725	0	0
Drew	3,128	0	0
Faulkner	6,310	0	2
Franklin	2,124	0	0
Fulton	1,370	0	0
Garland	9,296	0	0
Grant	2,116	0	0
Greene	5,021	0	0
Hempstead	3,492	0	0
Hot Spring	4,157	0	0
Howard	2,184	0	0
Independence	3,813	0	1
Izard	1,423	0	0
Jackson	3,742	0	0
Jefferson	15,960	0	0
Johnson	2,313	0	0
Lafayette	1,813	1	0
Lawrence	2,577	0	1
Lee	3,858	0	0
Lincoln	2,510	0	0
Little River	2,396	0	0
Logan	3,056	0	0
Lonoke	5,931	0	2
Madison	1,802	0	0
Marion	1,255	0	0
Miller	6,056	0	0
Mississippi	13,205	0	2
Monroe	3,067	0	0
Montgomery	1,086	0	1 est
Nevada	1,700	0	0
Newton	1,145	*	0
Ouachita	5,031	0	0
Perry	1,192	0	0
Phillips	8,483	0	0
Pike	1,526	0	0

TABLE 04-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Poinsett	5,254	0	1
Polk	2,310	0	8
Pope	5,677	0	2
Prairie	2,021	0	0
Pulaski	54,570	0	6
Randolph	2,830	0	0
St. Francis	6,655	0	0
Saline	7,110	0	4
Scott	1,648	0	0
Searcy	1,400	0	0
Sebastian	20,153	0	8 est
Sevier	2,265	0	0
Sharp	1,357	0	0
Stone	1,534	0	0
Union	7,642	0	0
Van Buren	1,669	0	0
Washington	13,696	0	0
White	7,659	0	4
Woodruff	2,049	0	0
Yell	2,775	*	0
Total Number of Placements Arranged by Local Agencies (total may include duplicated count)		1	51 est
Total Number of Local Agencies Reporting		380	75

* denotes Not Available.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

The agencies which were surveyed at the local level of government and the degree to which they were involved in arranging out-of-state placements in 1978 is summarized in Table 04-4. The response rate for local Arkansas agencies was excellent, with only two school districts, located in Newton and Yell Counties, abstaining from participation in the survey. All participating agencies were able to respond to questions about involvement in out-of-state placements. The 75 local juvenile justice agencies far surpassed the 382 school districts in their involvement in arranging out-of-state placements for children. Of the 380 school districts which were able to report, only one placed children outside of Arkansas, while 17 juvenile justice agencies (or 23 percent), reported arranging such placements.

TABLE 04-4. ARKANSAS: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type	
	Education	Juvenile Justice
Agencies Which Reported Out-of-State Placements	1	17
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0	0
Agencies Which Did Not Place Out of State	379	58
Agencies Which Did Not Participate in the Survey	2	0
Total Local Agencies	382	75

The reasons local agencies reported for not placing any children outside of Arkansas appear in Table 04-5. Overall, it was the lack of funds for placement or the presence of sufficient services in Arkansas which best describes why school districts and juvenile justice agencies did not place children out of state in 1978.

It is also interesting to note that there were responses from both agency types that out-of-state placements were not made because of the presence of statutory prohibition. Such responses are not explainable by an understanding of Arkansas law or state-reported policies related to the out-of-state placement of children. Finally, it should be noted that other reasons given for not arranging such placements included a lack of knowledge about available facilities in other states, against agency policy, or because the child's parents disapproved.

TABLE 04-5. ARKANSAS: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reasons(s)	
	Education	Juvenile Justice
Lacked Statutory Authority	44	8
Restricted[b]	7	1
Lacked Funds	78	20
Sufficient Services Available In State	64	52
Other[c]	76	27
Number of Agencies Reporting No Out-of-State Placements	379	58
Total Number of Agencies Represented in Survey	380	75

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

The degree to which local agencies arranged out-of-state placements in cooperation with other agencies is depicted in Table 04-6. The data indicates that the one placement made by a school district was made solely by that agency, but that a substantial proportion, over two-thirds, of the placements made by juvenile justice agencies were arranged cooperatively. Many public services to children are state operated at the community levels in Arkansas, and it could be presumed that a majority of this cooperative activity occurred between these state and locally operated agencies.

TABLE 04-6. ARKANSAS: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type			
	Education		Juvenile Justice	
	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements	1	0.003	17	23[a]
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	0	0.0	11	65
Number of CHILDREN Placed Out of State	1	100	51	100
Number of CHILDREN Placed Out-of-State with Interagency Cooperation	0	0.0	34	67

a. See Table 04-4.

The conditions of children that were placed out of state in 1978 by local agencies in Arkansas are noted in Table 04-7. The one placement arranged by a local school district involved a child who was both physically handicapped and mentally retarded or developmentally disabled. The local juvenile justice agencies, by contrast, show pronounced diversity in the conditions of children that they placed into other states. As one would expect, however, the unruly/disruptive, truant, and juvenile delinquent categories show a higher number of responses than the others. Also included were children who were described to be physically handicapped, emotionally disturbed, or to have special education needs. It is among the children with these conditions that one might expect the interagency cooperation in placement to occur that was described in Table 04-6 because of the special resources needed by local probation departments and courts to serve these children.

TABLE 04-7. ARKANSAS: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Physically Handicapped	1	2
Mentally Retarded or Developmentally Disabled	1	2
Unruly/Disruptive	0	7
Truant	0	5
Juvenile Delinquent	0	9
Mentally Ill/Emotionally Disturbed	0	2
Pregnant	0	2
Drug/Alcohol Problems	0	2
Battered, Abandoned, or Neglected	0	4
Adopted	0	2

TABLE 04-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Special Education Needs	0	2
Multiple Handicaps	0	1
Others	0	0
Number of Agencies Reporting	1	17

a. Some agencies reported more than one type of condition.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Arkansas' state profile. Whenever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

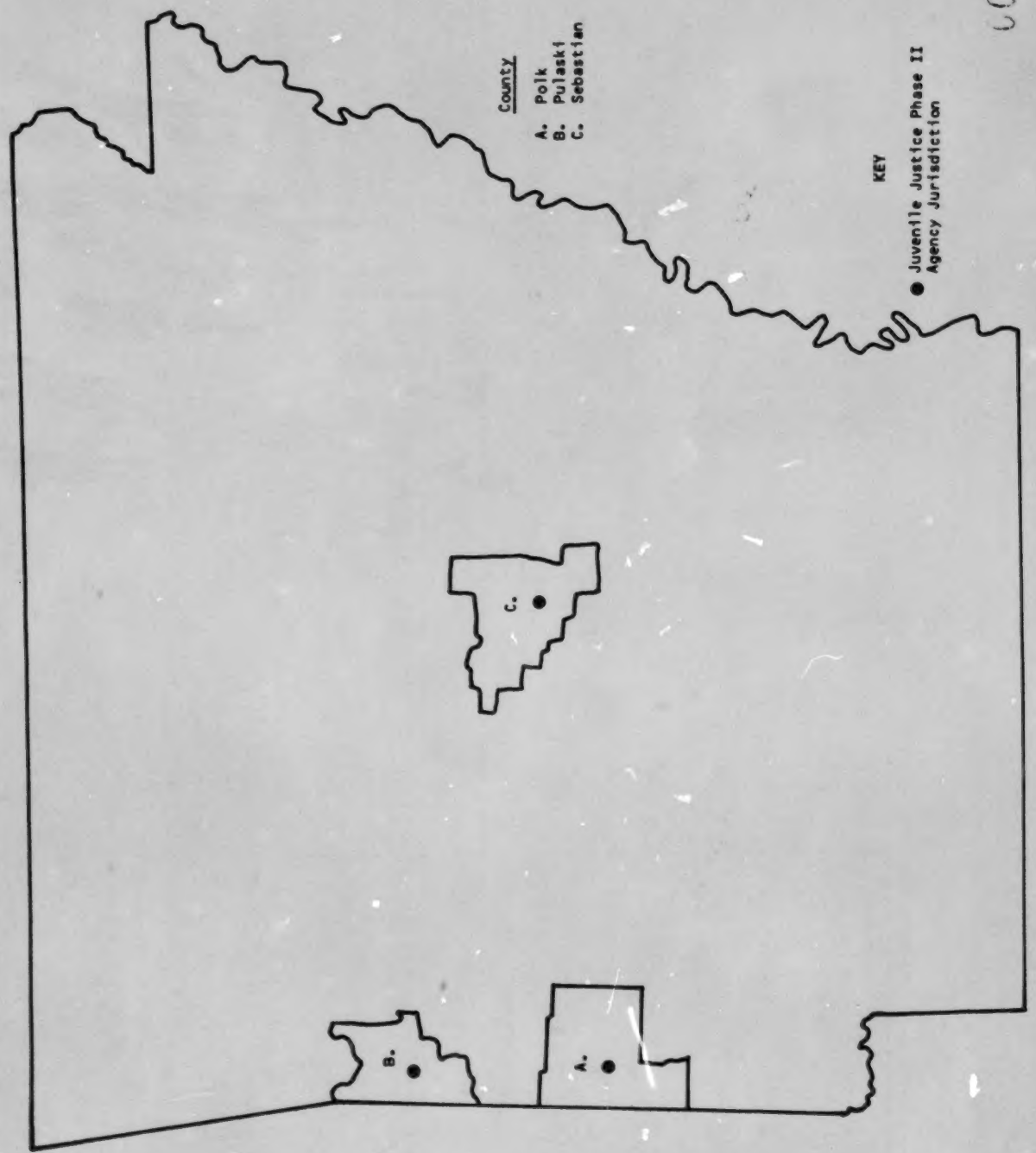
The relationship between the number of local Arkansas agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 04-1. It can be seen from this figure that only 4 percent of all local juvenile justice agencies surveyed were Phase II agencies, while none of the local school districts are in this category. The three Phase II juvenile justice agencies make up nearly 18 percent of all juvenile justice placing agencies, but helped to arrange 43 percent of all the placements reported.

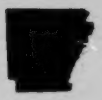
FIGURE 04-1. ARKANSAS: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Education	Juvenile Justice
Number of AGENCIES	380	75
Number of AGENCIES Reporting Out-of-State Placements in 1978	1	17
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	0	3
Number of CHILDREN Placed Out of State in 1978	1	51
Number of CHILDREN Placed by Phase II Agencies	0	22
Percentage of Reported Placements in Phase II	0	43

The geographical locations of these Phase II agencies are illustrated in Figure 04-2. Two of these three counties are located on Arkansas' western border shared with Oklahoma. The third county, Pulaski, is the location of the capital.

FIGURE 04-2. ARKANSAS: COUNTY LOCATION OF LOCAL PHASE II AGENCIES





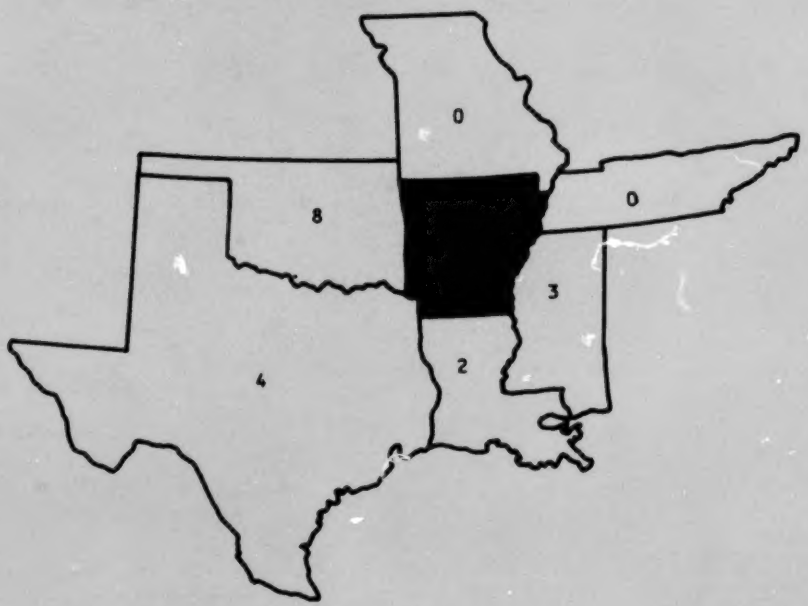
The three local Phase II juvenile justice agencies were asked to provide information about the destinations of the children they placed out of state. This information is summarized in Table 04-8, which shows that twice as many children were sent to Oklahoma, a contiguous state (see also Figure 04-3), than to any other destination. Placements arranged at a much further distance from Arkansas included California, Idaho, and Michigan, and these comprised about 23 percent of all 22 placements reported.

TABLE 04-8. ARKANSAS: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed Juvenile Justice
California	2
Idaho	1
Louisiana	2
Michigan	2
Mississippi	3
Oklahoma	8
Texas	4
Placements for Which Destinations Could Not be Reported by Phase II Agencies	0
Total Number of Phase II Agencies	3
Total Number of Children Placed by Phase II Agencies	22

Figure 04-3 illustrates the distribution of out-of-state placements among Arkansas' contiguous states. These states are shown as receiving 77 percent of the 22 out-of-state placements arranged by the three local juvenile justice agencies. Comparatively speaking, placements in contiguous states should be more likely to receive visits for monitoring purposes and for the maintenance of family contact, particularly since two of the Phase II agencies serve counties on the Oklahoma border.

FIGURE 04-3. ARKANSAS: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO ARKANSAS BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II agencies reported the destinations for 22 (100 percent) of their placements.

The reasons for placing children out of state reported by the three Phase II juvenile justice agencies are summarized in Table 04-9. Although nearly all response categories were mentioned, more frequent response was given for categories related to the absence of appropriate services to Arkansas, to the routine use of out-of-state placement for children with certain conditions, and to the category indicating an agency had previous success with a certain facility in another state.

TABLE 04-9. ARKANSAS: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	1
Previous Success with Receiving Facility	2
Sending State Lacked Comparable Services	2
Standard Procedure to Place Certain Children Out of State	2
Children Failed to Adapt to In-State Facilities	1
Alternative to In-State Public Institutionalization	1
To Live with Relatives (Non-Parental)	1
Other	0
Number of Phase II Agencies Reporting	3

a. Some agencies reported more than one reason for arranging out-of-state placements.

Phase II juvenile justice local agencies in Arkansas frequently sent children to live with relatives as well as to residential treatment and child care facilities, as shown in Table 04-10.

TABLE 04-10. ARKANSAS: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting Juvenile Justice
Residential Treatment/Child Care Facility	1
Psychiatric Hospital	0
Boarding/Military School	0
Foster Home	0
Group Home	0
Relative's Home (Non-Parental)	2
Adoptive Home	0
Others	0
Number of Phase II Agencies Reporting	3

Monitoring practices for out-of-state placements were described by Phase II agencies. Table 04-11 displays the information which was reported and indicates that most practices do not occur on a regular schedule. Further, it can be seen that only one juvenile justice agency conducted on-site visits to monitor out-of-state placements.

TABLE 04-11. ARKANSAS: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES Juvenile Justice[a]
Written Progress Reports	Quarterly	0
	Semiannually	1
	Annually	0
	Other[b]	0
On-Site Visits	Quarterly	0
	Semiannually	0
	Annually	0
	Other[b]	1
Telephone Calls	Quarterly	0
	Semiannually	0
	Annually	0
	Other[b]	1
Other	Quarterly	0
	Semiannually	0
	Annually	0
	Other[b]	1
Total Number of Phase II Agencies Reporting		3

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

Local Phase II agencies were also asked to report expenditures that were made for these placements out of Arkansas. The three juvenile justice agencies that responded to this question reported a total of $12,000 spent in 1978 for out-of-state placements.

D. Use of Interstate Compacts by State and Local Agencies

An important activity in the practice of placing children in out-of-state residential care is the utilization of interstate compacts. Arkansas was a member of both the Interstate Compact on Juveniles and the Interstate Compact on Mental Health in 1978. It is unlikely that local agencies responsible for education or juvenile justice would be involved in arranging out-of-state placement applicable to the compact on mental health. Similarly, the ICJ has minimal applicability for placements involving education agencies.

Table 04-12 gives information about the number of local agencies reporting the use of an interstate compact in 1978 to arrange out-of-state placements. This table shows that, in total, eight of the 18 agencies which placed children out of state that year did not use a compact for any placements. Table 04-12 also facilitates comparisons about compact utilization between those local juvenile justice agencies placing four or less children out of state and those which arranged five or more placements (Phase II agencies). Such a comparison suggests that the number of children an agency placed out of state had no bearing to compact use because agencies in both groupings failed to arrange placements through a compact.

TABLE 04-12. ARKANSAS: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES	
	Education	Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	1	14
• Number Using Compacts	0	8
• Number Not Using Compacts	1	5
• Number with Compact Use Unknown	0	1
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	0	3
• Number Using Compacts	—	1
Interstate Compact on the Placement of Children[a]		
Yes	--	--
No	--	--
Don't Know	--	--
Interstate Compact on Juveniles		
Yes	--	0
No	--	2
Don't Know	--	1
Interstate Compact on Mental Health		
Yes	--	0
No	--	2
Don't Know	--	1
• Number Not Using Compacts	—	2
• Number with Compact Use Unknown	—	0
TOTALS		
Number of AGENCIES Placing Children Out of State	1	17
Number of AGENCIES Using Compacts	0	9
Number of AGENCIES Not Using Compacts	1	7
Number of AGENCIES with Compact Use Unknown	0	1

-- denotes Not Applicable.

a. Arkansas did not enact the Interstate Compact on the Placement of Children until July 1, 1979.

A related perspective on compact utilization is given in Table 04-13, which indicates the number of children who were or were not placed out of state with a compact in 1978. Information about compact utilization was given for 31 out-of-state placements, and 22 (or 71 percent) were not arranged through a

compact. A total of nine children placed out of state by local juvenile justice agencies had their placement arranged through a compact, and compact use was not determined for 21 additional out-of-state placements arranged by those agencies.

TABLE 04-13. ARKANSAS: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN	
	Education	Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	1	29
• Number Placed with Compact Use	0	8
• Number Placed without Compact Use	1	7
• Number Placed with Compact Use Unknown[a]	0	14
NUMBER PLACED BY AGENCIES REPORTING FIVE OR MORE PLACEMENTS	0	22
• Number Placed with Compact Use[b]	--	1
Number through Interstate Compact on the Placement of Children[c]	--	--
Number through Interstate Compact on Juveniles	--	0
Number through Interstate Compact on Mental Health	--	0
• Number Placed without Compact Use	--	14
• Number Placed with Compact Use Unknown	--	7
TOTALS		
Number of CHILDREN Placed Out of State	1	51
Number of CHILDREN Placed with Compact Use	0	9
Number of CHILDREN Placed without Compact Use	1	21
Number of CHILDREN Placed with Compact Use Unknown	0	21

-- denotes Not Applicable.

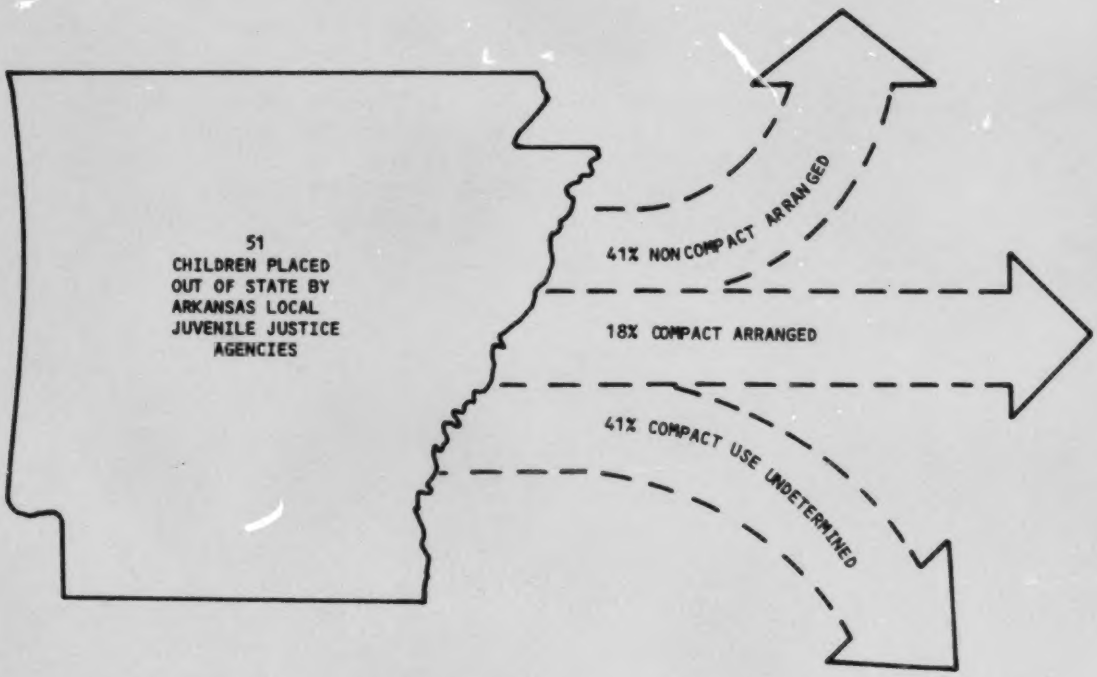
a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placements. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

b. If an agency reported using a compact but could not report the number of placements arranged through the specific compacts, one placement is indicated as compact arranged and the others are included in the category "number placed with compact use unknown."

c. Arkansas did not enact the ICPC until July 1, 1979.

A graphic representation of the findings about the utilization of interstate compacts for the 51 children placed out of state by Arkansas local juvenile justice agencies is illustrated in Figure 04-4. The figure shows that 41 percent of the placements were noncompact arranged, 18 percent were compact arranged, and compact use was undetermined for the remaining 41 percent.

FIGURE 04-4. ARKANSAS. THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978



A summary table of interstate compact utilization by state and local agencies is presented in Table 04-14. This table examines the relationship between the total number of out-of-state placements arranged in 1978 by the agencies at both levels of government and the number of children placed out of Arkansas and processed through a compact, as reported by state agencies.

The state agency responsible for child welfare services and the administration of the Interstate Compact on Juveniles (DHS/DSS) reported 18 children, or 22 percent of the total incidence of placements, were placed through a compact. It should be recalled that Arkansas did not become a member of the Interstate Compact on the Placement of Children until 1979.

Compact use was reported by the state mental health agency (DHS/DMH) for eight of its ten out-of-state placements. The state education and mental retardation agencies, in contrast, reported no compact was used for the placements they reported to occur in 1978.

TABLE 04-14. ARKANSAS: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES, IN 1978, BY AGENCY TYPE

	Child Welfare/ Juvenile Justice	Education	Mental Health	Mental Retardation
Total Number of State and Local Agency-Arranged Placements	83	1	10	7
Total Number of Compact-Arranged Placements Reported by State Agencies	18	0	8	0
Percentage of Compact-Arranged Placements	22	0	80	0

E. The Out-of-State Placement Practices of State Agencies

Table 04-15 reconfirms an earlier observation that officials in the Department of Human Services' Divisions of Social Services, Youth Services, Mental Health Services, and Mental Retardation and Developmentally Disabled Services have generally provided complete data on out-of-state placement activity. Table 04-15 indicates that the DHS Divisions at Social Services and Youth Services were far more involved in placing children out of Arkansas in 1978 than any other division of the department. Further, it should be observed that although the DHS Division of Mental Health was involved in placing children into other states, the agency's role was almost an informal, facilitative one, which was not prescribed by statute or regulation and which did not directly draw upon agency funds.

TABLE 04-15. ARKANSAS: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare/ Juvenile Justice	Education	Mental Health	Mental Retardation
State Arranged and Funded	32	0	0	6
Locally Arranged but State Funded	18	0	—	—
Court Ordered, but State Arranged and Funded	0	0	0	0
Subtotal: Placements Involving State Funding	50	0	0	6
Locally Arranged and Funded, and Reported to State	0	0	—	—
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	0	0	8	1
Others	0	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	50	0	10	7

— denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Table 04-16 provides information about the destinations of children placed out of state in 1978 with the involvement of state agencies. Forty-seven children were reported as having been placed in 12 different states. Texas received more of those children than any other state, with 34 percent of all children reported.

Similar to local agency practices, state agencies in Arkansas made use of resources in contiguous states for many out-of-state placements. Several children were placed into five of the six contiguous states: Louisiana, Missouri, Oklahoma, Tennessee, and Texas.

TABLE 04-16. ARKANSAS: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed		
	Child Welfare/ Juvenile Justice	Mental Health	Mental Retardation
California	7	0	1
Georgia		2	
Illinois	4	0	1
Kansas		0	1
Kentucky	1	0	
Louisiana	1	0	
Michigan	3	0	
Missouri	6	0	
Ohio		0	1
Oklahoma		1	
Tennessee	2	0	
Texas	8	7	1
Placements for Which Destinations Could Not be Reported by State Agencies	18	0	2
Total Number of Placements	50	10	7

The conditions of children who were placed out of Arkansas with the involvement of state agencies are reported in Table 04-17. The Division of Mental Health Services reported involvement in the out-of-state placement of children having nearly all conditions that were available for description. The Divisions of Mental Retardation and Developmentally Disabled Services, Social Services, and Youth Services were involved in the placement of children typically associated with such agencies, including mentally handicapped and developmentally disabled, foster or adoptive children, and juvenile delinquents, respectively.

TABLE 04-17. ARKANSAS: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]		
	Child Welfare/ Juvenile Justice	Mental Health	Mental Retardation
Physically Handicapped	0	X	0
Mentally Handicapped	0	X	X
Developmentally Disabled	0	0	X
Unruly/Disruptive	0	X	0
Truants	0	X	0
Juvenile Delinquents	X	X	0
Emotionally Disturbed	X	X	0

TABLE 04-17. (Continued)

Types of Conditions	Agency Type[a] Child Welfare/ Juvenile Justice	Mental Health	Mental Retardation
Pregnant	X	0	0
Drug/Alcohol Problems	0	0	0
Battered, Abandoned, or Neglected	0	X	0
Adopted Children	X	0	0
Foster Children	X	X	0
Other[b]	0	X	0

a. X indicates conditions reported.

b. Includes children with special education needs.

The state agencies were also asked to report the setting most frequently used for their 1978 out-of-state placements. The state child welfare and juvenile justice agency reported relatives' homes to be most often utilized in that year, while the mental health and mental retardation agencies both most frequently sent children to residential treatment or child care facilities.

The amount and sources of expenditures associated with arranging out-of-state placements in 1978 were requested from state agencies. The results of these inquiries follow in Table 04-18. The significant role that the Divisions of Social Services and Youth Services play in the placement of children out of Arkansas is immediately apparent. Although local and other funds could not be reported, these divisions can be said, from available cost information, to have spent at least $135,000 on out-of-state placements in 1978. The $70,000 that was reported by the Division of Mental Health Services was described by that agency as being directly provided to the Division of Social Services to be used as match money in order to generate Title XX revenues earmarked for children placed outside of Arkansas. Finally, the Division of Mental Retardation and Developmentally Disabled Services is shown as having spent $1,000 for out-of-state placements in 1978, which is likely to simply represent transportation costs.

TABLE 04-18. ARKANSAS: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY STATE AGENCIES

Levels of Government	Expenditures, by AGENCY Type Child Welfare/ Juvenile Justice	Mental Health	Mental Retardation
• State	$51,320	$70,000	$1,000
• Federal	84,108	0	0
• Local	*	0	0
• Other	*	0	0
Total Reported Expenditures	*	$70,000	$1,000

* denotes Not Available.

F. State Agencies' Knowledge of Out-of-State Placements

A summary of the preceding information is offered in Table 04-19 as a means of portraying the extent of Arkansas state agencies' knowledge of out-of-state placement activity in 1978. In this way, it can be seen that the state child welfare and juvenile justice agency (DHS) had knowledge of only 60 percent of the children who were placed out of state. This figure includes all the children reported by this same agency's child welfare division and only a portion of the children reported by the local juvenile justice agencies.

The one placement made by a local Arkansas school district in 1978 was not known to the state education department. In contrast, the state mental health and mental retardation agencies had full knowledge of their own placement activities in that year.

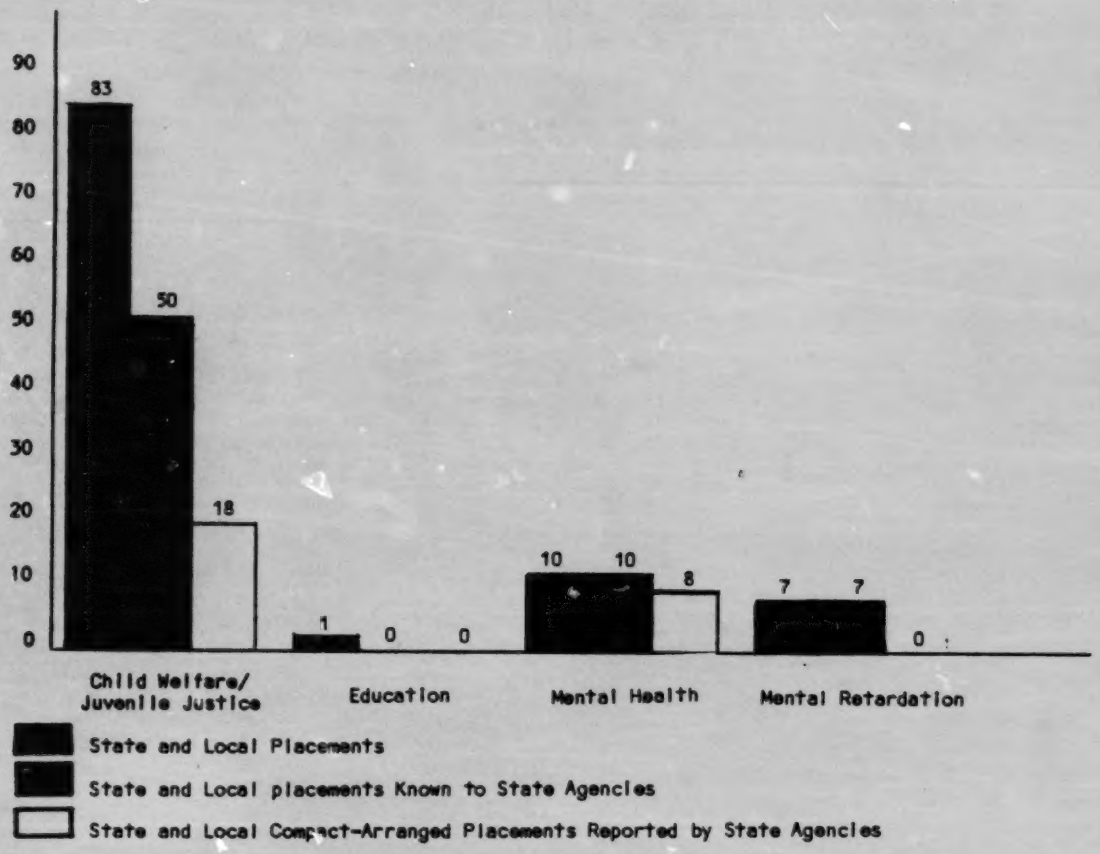
TABLE 04-19. ARKANSAS: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare/ Juvenile Justice	Education	Mental Health	Mental Retardation
Total Number of State and Local Agency Placements	83[a]	1	10	7
Total Number of Placements Known to State Agencies	50	0	10	7
Percentage of Placements Known to State Agencies	60	0	100	100

a. Includes state child welfare/juvenile justice agency responses as well as local juvenile justice responses.

At the time of this study's survey, Arkansas was a member of only two interstate compacts relevant to the placement of children. With this in mind, a review of Figure 04-5 showing state agencies' knowledge of out-of-state placements and compact utilization is more understandable. The agency responsible in 1978 for the administration of the Interstate Compact on Juveniles and operating child welfare services (but not yet charged with the responsibility of the Interstate Compact on the Placement of Children) reported that only 18 children were processed through a compact. The state mental health agency, which administers the Interstate Compact on Mental Health, was the only other state agency to report compact-processed out-of-state placements. Without membership in ICPC, it is not surprising to learn of this lower level of compact utilization among Arkansas agencies.

FIGURE 04-3. ARKANSAS: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

There are several conclusions which may be drawn from the foregoing discussion of public agency out-of-state placement policies and practices in Arkansas. Although not exhaustive of all conclu-thatsions could be made, those which are most emergent from the data are:

- The DHS was the major point of departure for most children crossing state lines for publicly sponsored out-of-home care. Education agencies were not dramatically involved in out-of-state placements in Arkansas.
- The state's mental health agency was primarily involved in placing children out of Arkansas in an informal, facilitative role. In this role, the Division of Mental Health Services was involved with a wider variety of children than one might expect of a mental health agency, indicating involvement in the placement decisions of other agency types, especially juvenile probation and child welfare agencies.
- There was no correlation between the incidence of out-of-state placements reported by local agencies in Arkansas and the estimated population of persons eight to 17 years old residing in the counties served by these agencies.

- There was less than complete utilization of interstate compacts within the DHS and among local juvenile justice agencies. This would indicate that, especially for children who were placed by juvenile probation departments, legal and service responsibility for adjudicated delinquents in other states must be determined more informally.

- The monitoring of the status of children in placement in other states was not a regularized practice. Moreover, only one juvenile justice agency conducted on-site visits to monitor out-of-state placements; however, 77 percent of the children placed by those agencies were sent to states contiguous to Arkansas.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Arkansas in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTES

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN COLORADO

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Peter Fanning, Director, Special Education Services Unit, Department of Education; Matt McBride, Deputy Director, Department of Institutions; Milton C. Hanson, Deputy Compact Administrator, Special Services for Children, Department of Social Services; Loretta Wise, Interstate Correspondent, Division of Youth Services, Department of Institutions; and Dewey W. Johnson, Jr., former Deputy Administrator, Division of Youth Services, Department of Institutions.

II. METHODOLOGY

Information was systematically gathered about Colorado from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Colorado appears below in Table 06-1.

TABLE 06-1. COLORADO: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone Interview Mailed Survey: DSS officials	Telephone Interview Mailed Survey: SBE officials	Telephone Interview Mailed Survey: DI officials	Telephone Interview Mailed Survey: DI officials
Local Agencies[a]	Telephone Survey: All 63 local child welfare agencies	Telephone Survey: All 173 school districts	Telephone Survey: All 63 local courts or juvenile probation agencies	**

** Denotes Not Surveyed. There were two local public mental health agencies in the state.

a. The telephone survey was conducted by the Ohio Management and Research Group under a subcontract to the Academy.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Colorado has the eighth largest land area (103,766 square miles) and is the 28th most populated state (2,541,311) in the United States. It has 26 cities with populations over 10,000, including 12 cities with populations over 30,000. Denver, the capital, is the most populated city in the state, with a population of almost 500,000. It has 62 counties and one city-county consolidation, Denver. The 1978 estimated population of persons eight to 17 years old was 458,927.

Colorado has five Standard Metropolitan Statistical Areas and borders the following states: New Mexico, Arizona, Utah, Wyoming, Nebraska, Kansas, and Oklahoma.

Colorado was ranked 16th nationally in total state and local per capita expenditures, third in per capita expenditures for education, and 22nd in per capita expenditures for public welfare.[1]

B. Child Welfare

The Department of Social Services (DSS), Special Services for Children (SSC), supervises foster care, adoption, and protective services in Colorado. Services are provided by Colorado's 63 county-administered departments of social services. These offices recommend placements, which are then reported to the State Department of Social Services in one of two ways: (1) if the county social services department is financially responsible for the placement, it still must obtain prior approval from the state; or (2) if the county office wishes to use the Interstate Compact on the Placement of Children, it must contact the DSS, which administers the compact.

The DSS reportedly cannot determine the number of children placed out of state by county agencies when public funds are not being used and when the receiving state is not a member of the Interstate Compact on the Placement of Children (ICPC). Colorado enacted the ICPC in 1975.

C. Education

The Colorado constitution establishes the State Board of Education whose members, in turn, appoint the State Superintendent of Public Instruction. The Colorado Department of Education is the administrative arm of the state board and its superintendent has responsibility for overseeing public education for the state and its 173 public school districts.

The 173 school districts are organized into 48 special education units and cooperatives. It was reported that these special education units and cooperatives provide special education services and can place children in other states without reporting to or obtaining the approval of the State Department of Education when state reimbursement is not requested. Out-of-state placements primarily involve handicapped children in need of special education.

D. Juvenile Justice

All matters pertaining to juveniles and dependent and neglected children are adjudicated by district courts in Colorado, with the exception of Denver which has a Juvenile Court and a Probate Court. Denver's Juvenile Court has jurisdiction over proceedings involving delinquents, dependent and neglected children, adoptions, custody, and placement. The Probate Court administers matters involving estates, guardianship, and adjudication of the mentally ill. Juvenile probation services is a county responsibility in all of the jurisdictions.

The State Department of Institutions (DI) is a consolidated agency which administers juvenile justice, mental health, and mental retardation services. Its Division of Youth Services (DYS) operates juvenile institutions, regional detention facilities, and aftercare services. The DYS also subsidizes 15 juvenile diversion programs in Colorado.

Out-of-state placements of delinquent youth are reportedly facilitated by the Interstate Compact on Juveniles' office within the Division of Youth Services. Colorado enacted the ICJ in 1957.

The DYS does not maintain statewide comprehensive information on all outof-state placements arranged by state and local juvenile justice agencies. According to information provided by the DYS officials, courts may use the ICJ or the ICPC to arrange out-of-state placements. However, they may also arrange such placements independently.

E. Mental Health and Mental Retardation

The Divisions of Mental Health and Developmental Disabilities within the Department of Institutions (DI) are responsible for state mental health and mental retardation services. Local mental health services are provided through 24 community mental health centers, two of which are publicly operated (Denver city/county and Larimer County). The remaining centers are private, nonprofit organizations having single or, more frequently, multicounty service areas. Local mental retardation services are provided in a similar fashion, except their administration occurs entirely within the private sector, through community boards. A total of 22 boards are responsible for services in 61 counties, leaving two counties, Lake and Custer, without local public mental retardation services.

The Department of Institutions does place some children out of state, but it was reported that most interstate placements are handled by the DSS. The Department of Institutions administers the Interstate Compact on Mental Health since adopted by the state legislature in 1965.

F. Recent Developments

The out-of-state placement of children appears to be a major issue in Colorado, particularly as the practice relates to a fundamental state concern about out-of-home care. Several juvenile justice concerns are also being addressed by the governor's office, the executive budget office, the legislature, the State Department of Social Services, and numerous child advocacy groups. More specifically, these juvenile justice concerns are the following: (1) residential child care facilities, which constitute a large budget item in Colorado; (2) judges' authority to place children in institutions out of state and in nonpublic facilities in Colorado; and (3) the deinstitutionalization of status offenders and their out-of-home placements. The impact may be a reduction in the need for placements out of home and out of state. Moreover, the 1979 General Assembly passed S.R. 26 requiring, among other things, that courts report to the Colorado Supreme Court on out-of-state placements, regularly review all out-of-home placements within 90 days after the placement begins, and demonstrate the exhaustion of in-state resources prior to arranging out-of-state placements.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The results of the survey of public agencies in Colorado are presented in this section in summary tables and are accompanied by some interpretive remarks.

A. The Number of Children Placed in Out-of-State Residential Settings

An overview of state and local agency out-of-state placement activity is provided in Table 06-2 to lend some perspective to the other more specific survey results which follow. In total, a maximum of 373 children were placed out of state in 1978 with the involvement of public agencies. However, the sum of such placements may actually be less because of duplicative reporting as a result of interagency cooperation to arrange placements (see Table 06-6).

Local child welfare and juvenile justice agencies placed the greatest of children out of Colorado with 199 and 129 placements reported by agencies in their respective service categories. Local school districts reported a total of nine out-of-state placements. The Department of Social Services and DI's Divisions of Youth Services, Mental Health, and Developmental Disabilities reported some involvement in arranging out-of-state placements, but it is clear that sending children to other states for residential care was largely a local phenonmenon in 1978.

TABLE 06-2. COLORADO: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Retardation	Total
State Agency Placements[a]	3	0	32	1	36
Local Agency Placements	199	9	129	**	337
Total	202	9	161	1	373

** denotes Not Surveyed. The two local public mental health centers in Colorado were not contacted for information about their out-of-state placement practices.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 06-15 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 06-3 displays the number of children reported placed out of state in 1978 by each local agency, with the agency's corresponding county of jurisdiction and the estimated 1978 population of persons eight to 17 years old. The table facilitates an examination of the relationship between youth population, geography, and the 1978 incidence of out-of-state placements. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all within them. Review of Table 06-3 indicates that out-of-state placements were arranged by agencies in a relatively small percentage of Colorado counties, most of which contain relatively large youth populations. Almost 80 percent of all out-of-state placements were arranged by agencies in seven counties which are within Standard Metropolitan Statistical Areas (Adams, Arapahoe, Boulder, Denver, El Paso, Pueblo, and Teller). Agencies in two of these counties alone, Denver and El Paso, account for over one-half of all locally reported out-of-state placements. Agencies arranging out-of-state placements with jurisdiction in Jefferson, Larimer, Mesa, and Weld Counties with smaller youth populations placed significantly fewer children out of Colorado. It is particularly interesting to observe that the child welfare agency with jurisdiction in Hinsdale County placed a child out of state, even though the county's population of eight- to 17-year-olds was only 28.

TABLE 06-3. COLORADO: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Adams	46,420	12	0	2
Alamosa	2,058	0	0	0
Arapahoe	42,817	1	0	12
Archuleta	700	0	0	1
Baca	990	0	0	0
Bent	1,048	0	0	0
Boulder	28,898	13	0	8
Chaffee	2,224	0	0	0
Cheyenne	421	0	0	0
Clear Creek	958	1	0	0
Conejos	2,010	0	0	0
Costilla	659	0	0	0
Crowley	547	0	1	0
Custer	159	0	0	0
Delta	2,981	0	0	0
Denver	70,848	50 est	0	54
Dolores	310	0	0	0
Douglas	3,458	2	0	0
Eagle	1,957	1	0	1 est
Elbert	1,179	1	0	0
El Paso	52,169	74	4	3
Fremont	4,187	0	0	0
Garfield	2,869	0	0	0
Gilpin	342	0	—	0
Grand	1,109	0	0	0
Gunnison	1,199	1	0	0
Hinsdale	28	1	—	0
Huerfano	1,090	0	0	0
Jackson	302	0	0	0
Jefferson	62,817	5	0	2
Kiowa	419	0	0	0
Kit Carson	1,496	0	0	0
Lake	1,736	0	0	0
La Plata	4,287	2	0	0
Larimer	19,310	1	0	6
Las Animas	2,680	2	0	5
Lincoln	874	0	0	0
Logan	3,387	2	0	0
Mesa	10,555	3 est	1	6
Mineral	205	0	0	0
Moffat	1,944	0	0	3
Montezuma	3,058	0	0	3
Montrose	4,210	0	0	0
Morgan	4,450	0	0	0
Otero	4,808	4	1	0

TABLE 06-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Ouray	316	0	0	0
Park	845	0	0	0
Phillips	764	0	2	0
Pitkin	1,319	2	0	0
Prowers	2,645	0	0	0
Pueblo	22,242	7	0	12
Rio Blanco	963	2	0	0
Rio Grande	2,154	2	0	0
Routt	1,868	0	0	0
Saguache	768	0	0	1
San Juan	138	0	0	0
San Miguel	468	0	0	3
Sedgwick	554	0	0	0
Summit	1,045	0	0	0
Teller	1,102	10 est	0	5
Washington	887	0	0	0
Weld	19,203	0	0	2
Yuma	1,473	0	0	0
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		199 est	9	129 est
Total Number of Local Agencies Reporting		63	173	63

-- denotes Not Applicable

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

The involvement of Colorado local agencies in arranging out-of-state placements for children is summarized in Table 06-4. Of particular note is the excellent response rate that the study received among these agencies. All agencies contacted participated in the survey and were able to report upon their involvement in out-of-state placements in 1978. Over one-third of the county child welfare agencies reported some involvement in out-of-state placement, compared to 29 percent of the juvenile justice agencies. Only five percent of Colorado school districts reported placing any children out of state. Overall, it can be determined that 16 percent of all local agencies reported arranging out-of-state placements for children in 1978.

TABLE 06-4. COLORADO: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type		
	Child Welfare	Education	Juvenile Justice
Agencies Which Reported Out-of-State Placements	23	8	18
Agencies Which Did Not Know If They Placed, or Placed but Could not Report the Number of Children	0	0	0
Agencies Which Did Not Place Out of State	40	165	45
Agencies Which Did Not Participate in the Survey	0	0	0
Total Local Agencies	63	173	63

All local agencies that did not place children out of state in 1978 were asked to report why such placements did not occur. As indicated in Table 06-5, the majority of agencies of all three types said they did not place children out of state because sufficient services were available in Colorado. School districts overwhelmingly reported sufficient services were available in Colorado, after which lacking funds for placement and lacking statutory authority to make out-of-state placements rank in frequency of response. The report of this last factor, also by some local child welfare and juvenile justice agencies, suggests that the statutes pertaining to out-of-state placement in Colorado are subject to divergent interpretation by local agencies providing services to children. Five child welfare and seven juvenile justice agencies noted that they lacked statutory authority to make out-of-state placements, a belief evidently not held by a majority of these agencies.

TABLE 06-5. COLORADO: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)		
	Child Welfare	Education	Juvenile Justice
Lacked Statutory Authority	5	24	7
Restricted[b]	5	1	4
Lacked Funds	5	41	4
Sufficient Services Available in State	37	162	40
Other[c]	18	2	25
Number of Agencies Reporting No Out-of-State Placements	40	165	45
Total Number of Agencies Represented in Survey	63	173	63

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

Agencies often work together in the process of making placement decisions, and the degree to which there was interagency cooperation in the placement of children out of Colorado appears in Table 06-6. Juvenile justice agencies had the highest level of interagency cooperation. Ninety percent of the out-of-state placements arranged by local juvenile justice agencies involved the participation of some other public agency--generally state or county child welfare agencies.

Child welfare agencies reported involving other agencies in the placement process to a lesser extent, with about 60 percent of the agencies reporting interagency cooperation for less than 20 percent of their out-of-state placements. This would indicate that, for child welfare agencies, this type of cooperation is fairly prevalent among agencies, but undertaken for only a select proportion of all placements made.

Interagency cooperation among the local education agencies arranging out-of-state placements was even less prevalent. Three education agencies cooperated with other public agencies to arrange three out-of-state placements. It was indicated that this cooperation involved courts in two instances and the Division of Developmental Disabilities in the third instance.

TABLE 06-6. COLORADO: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type					
	Child Welfare		Education		Juvenile Justice	
	Number	Percent	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	23	37	8	5	18	29
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	14	61	3	38	15	83
Number of CHILDREN Placed Out of State	199	100	9	100	129	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	36	18	3	33	116	90

a. See Table 06-4.

The 49 local agencies which arranged out-of-state placements in 1978 were asked to describe the children that were placed. Table 06-7 enumerates the conditions which those agencies indicated were characteristic of children placed out of state.

The local child welfare agencies placed children out of Colorado for a wide variety of conditions. They included adopted children, and children who were battered, abandoned, or neglected. Interestingly, about the same proportion of child welfare agencies reported that they placed children who were unruly or disruptive, and seven agencies were involved in arranging out-of-state placements for juvenile delinquents. The involvement of local child welfare agencies with unruly, disruptive, and delinquent children corresponds with the pattern of interagency cooperation discussed above, indicating significant linkages between these agencies and local juvenile justice agencies for purposes of arranging out-of-state placements.

The conditions ascribed to children placed out of state by local education agencies were not suggestive of such a wide range of problems and service implications. The eight school districts described the children they placed out of state as mentally ill or emotionally disturbed, as having special education needs, as being multiply handicapped, and as being mentally retarded or developmentally disabled.

Similar to the pattern observed among local child welfare agencies, Colorado's local juvenile justice agencies reported involvement in arranging out-of-state placements for children with a wide range of conditions and service needs. Every condition available for description, except adopted, was indicated as characteristic of children placed out of state with the involvement of these agencies.

Expectedly, of course, most juvenile justice agencies reported placing adjudicated delinquents and unruly or disruptive children out of state. One-third of these agencies reported placing children in other states who were battered, abandoned, or neglected, and three agencies indicated involvement in arranging such placements for truants.

TABLE 06-7. COLORADO: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting		
	Child Welfare	Education	Juvenile Justice
Physically Handicapped	4	0	1
Mentally Retarded or Developmentally Disabled	3	1	2
Unruly/Disruptive	11	0	9
Truant	3	0	3
Juvenile Delinquent	7	0	15
Mentally Ill/Emotionally Disturbed	9	4	2
Pregnant	2	0	1
Drug/Alcohol Problems	3	0	2
Battered, Abandoned, or Neglected	10	0	6
Adopted	10	0	0
Special Education Needs	4	4	3
Multiple Handicaps	5	3	2
Other[b]	2	0	2
Number of Agencies Reporting	23	8	18

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

C. Detailed Data from Phase II Agencies

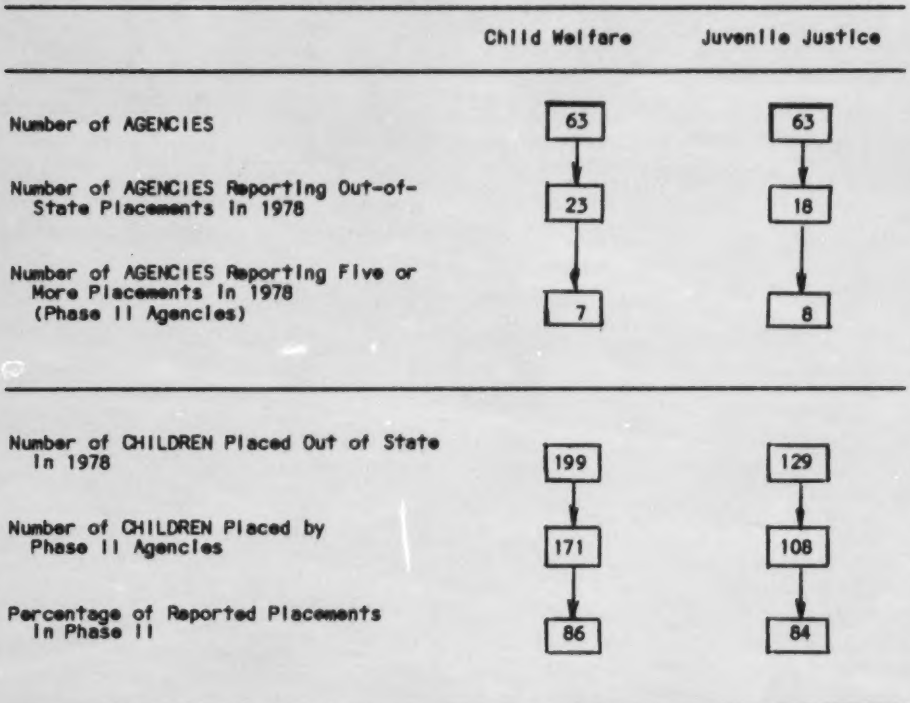
If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was collected became known as Phase II agencies, and their responses to additional questions are reviewed in this section of Colorado's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

The relationship between the number of local agencies surveyed and the total number of out-of-state placements reported, and agencies and placements in Phase II, is illustrated in Figure 06-1. Information about the local child welfare agencies reveals that seven of the 23 agencies (30 percent) which arranged out-of-state placements in 1978 were Phase II agencies. There were 171 children reported placed out of state by these local Phase II agencies, which equaled 86 percent of all placements arranged by local child welfare agencies.

A similar pattern was found among local juvenile justice agencies. Figure 06-1 shows that eight of the 18 local juvenile justice agencies (44 percent) which arranged out-of-state placements in 1978 were

Phase II agencies. The 108 children placed by the juvenile justice Phase II agencies represent 84 percent of all such placements reported by local juvenile justice agencies. Clearly, the detailed information to be reported on the practices of Phase II agencies is descriptive of over 80 percent of all out-of-state placements arranged by Colorado local agencies in 1978.

FIGURE 06-1. COLORADO: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE



The geographical locations of the Phase II agencies are illustrated in Figure 06-2. The figure shows that 11 of Colorado's 62 counties contained Phase II agencies, and they primarily cluster around the state's SMSAs with the exception of Mesa County.

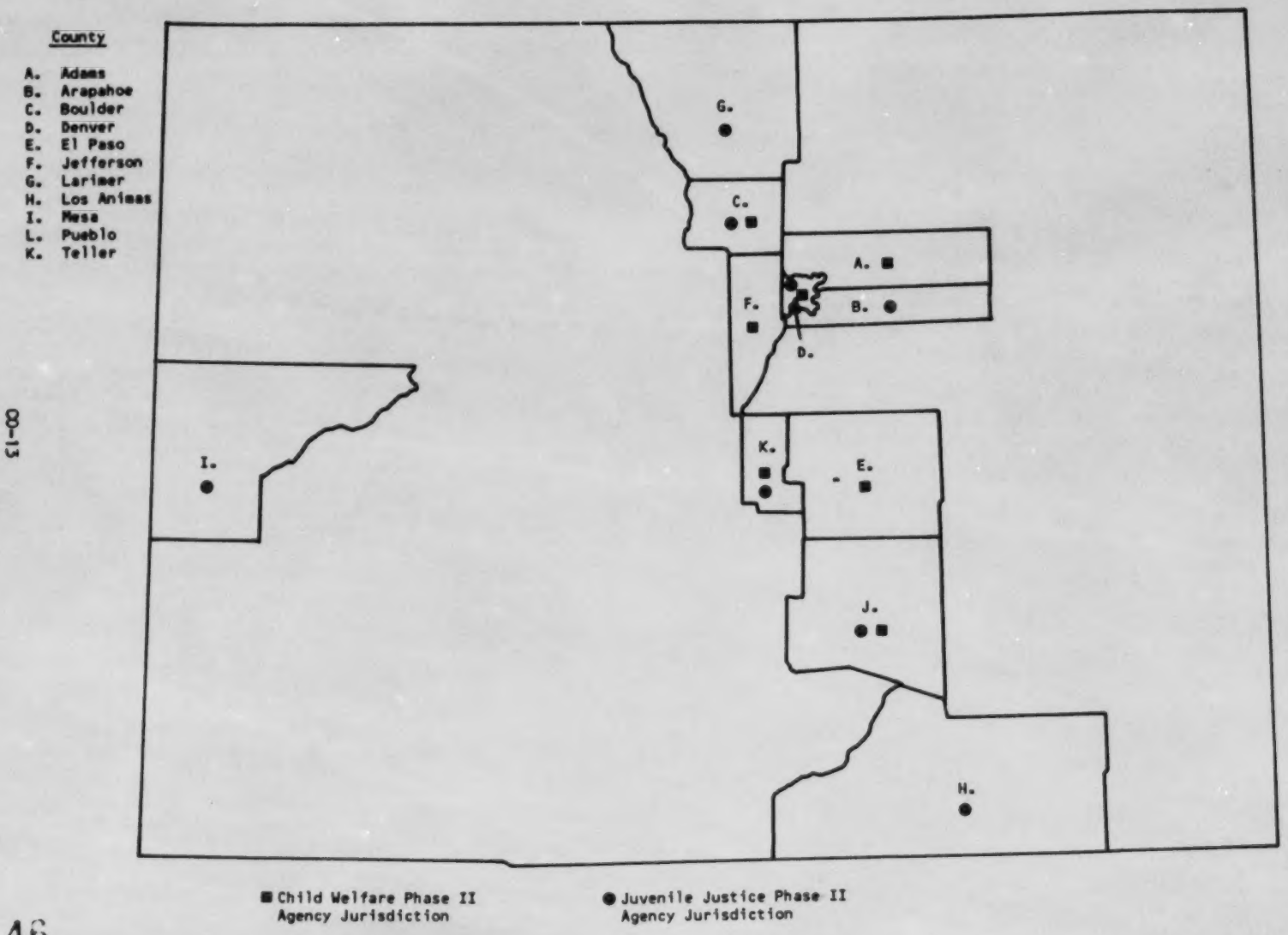


FIGURE 06-2. COLORADO: COUNTY LOCATION OF LOCAL PHASE II AGENCIES

Local Phase II agencies were asked to report the destinations of the children placed. It can be observed from Table 06-8 that local child welfare agencies in Colorado placed children in 30 different states, located in every region of the country. In addition, it should be noticed that Arizona and Texas received more children placed by those agencies than any other state.

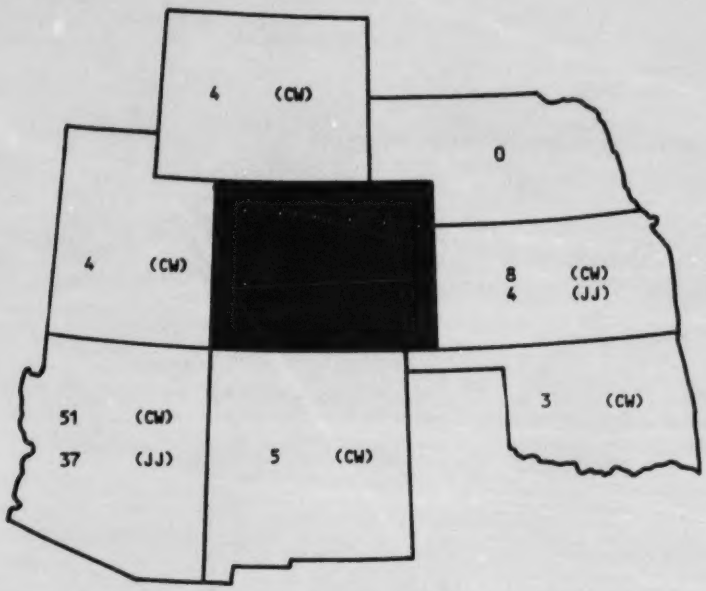
When considering the destinations of the children placed by local juvenile justice agencies, it should be understood that the destinations of 43 children were not reported. A review of the information reported indicates that placements in only eight different states were used, and that Arizona and Texas received more children than any other state, which was also the trend observed for child welfare arranged placements.

TABLE 06-8. COLORADO: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed	
	Child Welfare	Juvenile Justice
Alaska	2	
Arizona	51	37
Arkansas	4	
California	14	6
Connecticut	1	
Florida	2	
Idaho	1	
Illinois	5	2
Indiana	2	1
Iowa	2	1
Kansas	8	4
Kentucky	5	
Michigan	1	
Minnesota	1	
Mississippi	3	
Missouri	1	
Montana	1	
New Mexico	5	
North Dakota	1	
Ohio	1	
Oklahoma	3	
Pennsylvania	3	
Tennessee	4	1
Texas	22	13
Utah	4	
Vermont	1	
Virginia	1	
Washington	4	
Wisconsin	1	
Wyoming	4	
Placements for Which Destinations Could Not be Reported by Phase II Agencies	13	43
Total Number of Phase II Agencies	7	8
Total Number of Children Placed by Phase II Agencies	171	108

Figure 06-3 continues to focus on the destinations of children placed out of Colorado by local agencies arranging more than four out-of-state placements. The figure illustrates the number of children who went to states contiguous to Colorado. Once again, it can be seen that Arizona experienced heightened use as a state for placements arranged by Colorado child welfare and juvenile justice agencies. Except for those children sent to Arizona, use of other states contiguous to Colorado was relatively infrequent. However, approximately 48 percent of the children placed out of state by child welfare agencies and 63 percent of children placed by juvenile justice agencies for whom destinations were reported went to states contiguous to Colorado.

FIGURE 06-3. COLORADO: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO COLORADO BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II child welfare agencies reported the destinations for 158 children. Local Phase II juvenile justice agencies reported destinations for 65 children.

Those local agencies placing more than four children out of state were asked to describe the reasons why such placements were arranged. As suggested in Table 06-9, out-of-state placements were arranged by local child welfare and juvenile justice agencies for a variety of reasons. An opinion that Colorado lacked comparable services was reached by a number of agencies of both types, as did the fact that children failed to adapt to in-state facilities. These findings are interesting when compared to Table 06-5, where the majority of reasons for not placing children out of Colorado was that sufficient services were available in the state. A final relatively common reason for arranging such placements among both types of agencies was that previous success had been experienced with the receiving facility.

Major differences in the reasons for arranging out-of-state placements among the two agency types can be noted by observing that all juvenile justice agencies indicated that children were placed out of Colorado to live with relatives. Moreover, all but one of these agencies also mentioned that such placements serve as alternatives to in-state public institutionalization. These reasons for placing children in other states were also given by local child welfare agencies, but not nearly as often.

TABLE 06-9. COLORADO: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting	
	Child Welfare	Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	1	0
Previous Success with Receiving Facility	3	5
Sending State Lacked Comparable Services	6	4
Standard Procedure to Place Certain Children Out of State	0	1
Children Failed to Adapt to In-State Facilities	4	6
Alternative to In-State Public Institutionalization	3	7
To Live with Relatives (Non-Parental)	2	8
Other	1	2
Number of Phase II Agencies Reporting	7	8

a. Some agencies reported more than one reason for placement.

Table 06-10 displays findings about the most frequent categories of placement for children placed out of state by those local agencies reporting more than four such placements in 1978. Review of this table points out that most of the children placed in other states by local child welfare agencies were sent to residential treatment or child care facilities. Five of the seven reporting agencies of this type reported that residential treatment or child care facilities were their most frequent categories of placement. In addition, one agency indicated using foster homes most frequently, and another reported equal use of each category of placement.

Consideration of local juvenile justice agencies shows that the majority of these agencies used either residential treatment or child care facilities and the homes of relatives. One agency reported most frequent use of group homes, and another said equal use was made of residential treatment or child care facilities, foster homes, and group homes.

TABLE 06-10. COLORADO: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting	
	Child Welfare	Juvenile Justice
Residential Treatment/Child Care Facility	5	3
Psychiatric Hospital	0	0
Boarding/Military School	0	0
Foster Home	1	0
Group Home	0	1
Relative's Home (Non-Parental)	0	3
Adoptive Home	0	0
Other[a]	1	1
Number of Phase II Agencies Reporting	7	8

a. Agency reported equal use of more than one category of placement.

Those local agencies which arranged five or more out-of-state placements in 1978 were also asked to report by what means and how often they monitored the progress of children in placements. Table 06-11 indicates that responding child welfare agencies most frequently collect information on children in out-of-state placements on a quarterly basis through written progress reports and telephone calls. Juvenile justice agencies also show a significant reliance upon written progress reports and telephone calls for monitoring purposes. However, unlike those agencies responsible for child welfare, one agency said that semiannual site visits were made to assess children's progress.

TABLE 06-11. COLORADO: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a]	
		Child Welfare	Juvenile Justice
Written Progress Reports	Quarterly	3	5
	Semiannually	2	1
	Annually	0	0
	Other[b]	1	2
On-Site Visits	Quarterly	0	0
	Semiannually	0	1
	Annually	0	0
	Other[b]	0	0
Telephone Calls	Quarterly	2	0
	Semiannually	0	0
	Annually	0	0
	Other[b]	1	5

TABLE 06-11. (Continued)

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a] Child Welfare	Juvenile Justice
Other	Quarterly	0	0
	Semiannually	0	0
	Annually	0	0
	Other[b]	0	4
Total Number of Phase II Agencies Reporting		7	8

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

The final area of inquiry taken among those local agencies which arranged more than four out-of-state placements in 1978 concerned the associated expenditures for such placements. Six local child welfare agencies reported total expenditures for out-of-state placements which amounted to $1,586,646. These costs are obviously associated with the fact that five of the seven agencies reporting information on the most frequent categories of placement for children indicated using residential treatment or child care facilities. In contrast, six local juvenile justice agencies reported that no costs were incurred by their agencies for out-of-state placements. This finding is explainable by recalling the extensive interagency cooperation reported between local juvenile justice agencies and state and local child welfare agencies. It is likely that this cooperation involved arrangements for the child welfare agencies to pay for the placements.

D. Use of Interstate Compacts by State and Local Agencies

The survey of local agencies in Colorado also determined the extent to which interstate compacts were utilized to arrange out-of-state placements. A review of Table 06-12 indicates that 15 of the 49 agencies which placed children out of state in 1978 reported that none of their placements were arranged through an interstate compact. All but one of those agencies reporting no compact utilization arranged less than five out-of-state placements. Further examination of Table 06-12 shows the specific type of compact which was used by those agencies placing five or more children out of state. Both local child welfare and juvenile justice agencies placed children out of state through the ICPC and the ICJ.

TABLE 06-12. COLORADO: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Child Welfare	Education	Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	16	8	10
• Number Using Compacts	12	2	6
• Number Not Using Compacts	4	6	4
• Number with Compact Use Unknown	0	0	0

TABLE 06-12. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES: Child Welfare	Education	Juvenile Justice
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	7	0	8
• Number Using Compacts	7	--	6
Interstate Compact on the Placement of Children			
Yes	5	--	1
No	1	--	4
Don't Know	1	--	3
Interstate Compact on Juveniles			
Yes	2	--	6
No	4	--	1
Don't Know	1	--	1
Interstate Compact on Mental Health			
Yes	0	--	0
No	6	--	6
Don't Know	1	--	2
• Number Not Using Compacts	0	--	1
• Number with Compact Use Unknown	0	--	1
TOTALS			
Number of AGENCIES Placing Children Out of State	23	8	18
Number of AGENCIES Using Compacts	19	2	12
Number of AGENCIES Not Using Compacts	4	6	5
Number of AGENCIES with Compact Use Unknown	0	0	1

-- denotes Not Applicable.

Further knowledge concerning the utilization of interstate compacts is acquired through consideration of the information given in Table 06-13. This table indicates the number of children who were or were not placed out of state with a compact. An examination of the overall trend shows that a total of 46 children were placed out of state in 1978 without the use of a compact. Clearly, most of the children were placed out of state with a compact. However, such an observation should also acknowledge the fact that compact use was not known for 44 percent of the placements arranged by local juvenile justice agencies and 22 percent of all placements reported.

Table 06-13 also gives information which indicates the number of children who were placed out of state with the ICPC and the ICJ by agencies which arranged five or more placements. Out-of-state placements for 129 children were arranged through the ICPC and 68 through the ICJ.

TABLE 06-13. COLORADO: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN		
	Child Welfare	Education	Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	28	9	21
• Number Placed with Compact Use	12	2	6
• Number Placed without Compact Use	6	7	10
• Number Placed with Compact Use Unknown[a]	10	0	5
CHILDREN PLACED BY PHASE II AGENCIES	171	0	108
• Number Placed with Compact Use[b]	154	--	44
Number through Interstate Compact on the Placement of Children	123	--	6
Number through Interstate Compact on Juveniles	30	--	38
Number through Interstate Compact on Mental Health	0	--	0
• Number Placed without Compact Use	11	--	12
• Number Placed with Compact Use Unknown	6	--	52
TOTALS			
Number of CHILDREN Placed Out of State	199	9	129
Number of CHILDREN Placed with Compact Use	166	2	50
Number of CHILDREN Placed without Compact Use	17	7	22
Numer of CHILDREN Placed	16	0	57

-- denotes Not Available.

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

b. If an agency reported using a compact but could not report the number of placements arranged through the specific compact, one placement is indicated as compact arranged and the others are included in the category "number placed with compact use unknown."

Graphic representations of the information gathered about interstate compact utilization for children placed out of state in 1978 by local agencies are illustrated in Figures 06-4, 5, and 6. Figure 06-4 shows that of the 199 children reported placed out of state by local child welfare agencies in Colorado, nine percent were noncompact-arranged placements, 83 percent were compact-arranged, and for eight percent of the placements, compact use was undetermined. Comparable information is illustrated about compact use for placements arranged by local education and juvenile justice agencies in Figures 06-5 and 6.

FIGURE 06-4. COLORADO: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL CHILD WELFARE AGENCIES IN 1978

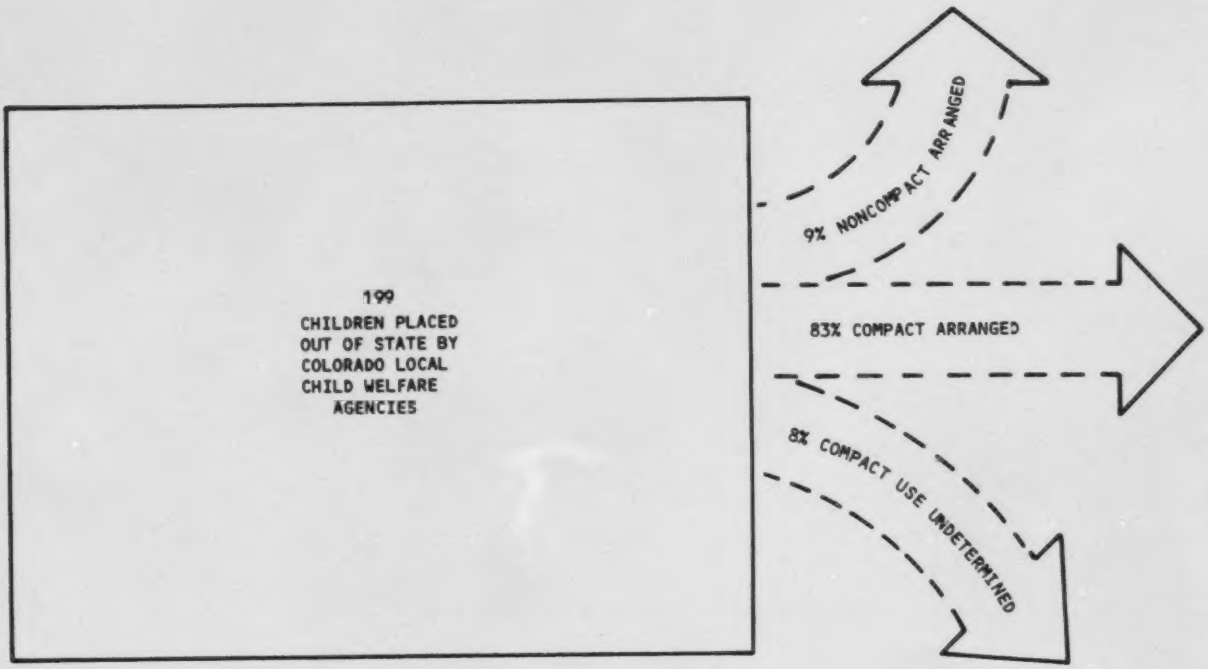

199
CHILDREN PLACED OUT OF STATE BY COLORADO LOCAL CHILD WELFARE AGENCIES
9% NONCOMPACT ARRANGED
83% COMPACT ARRANGED
8% COMPACT USE UNDETERMINED

FIGURE 06-5. COLORADO: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978

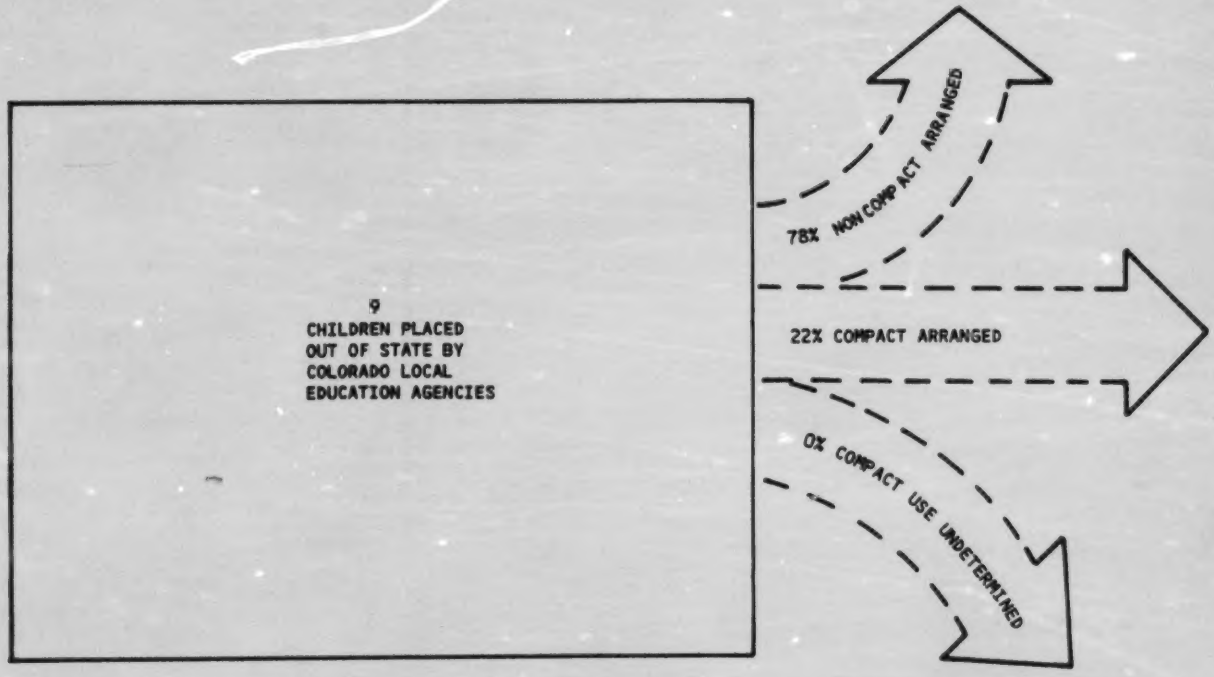
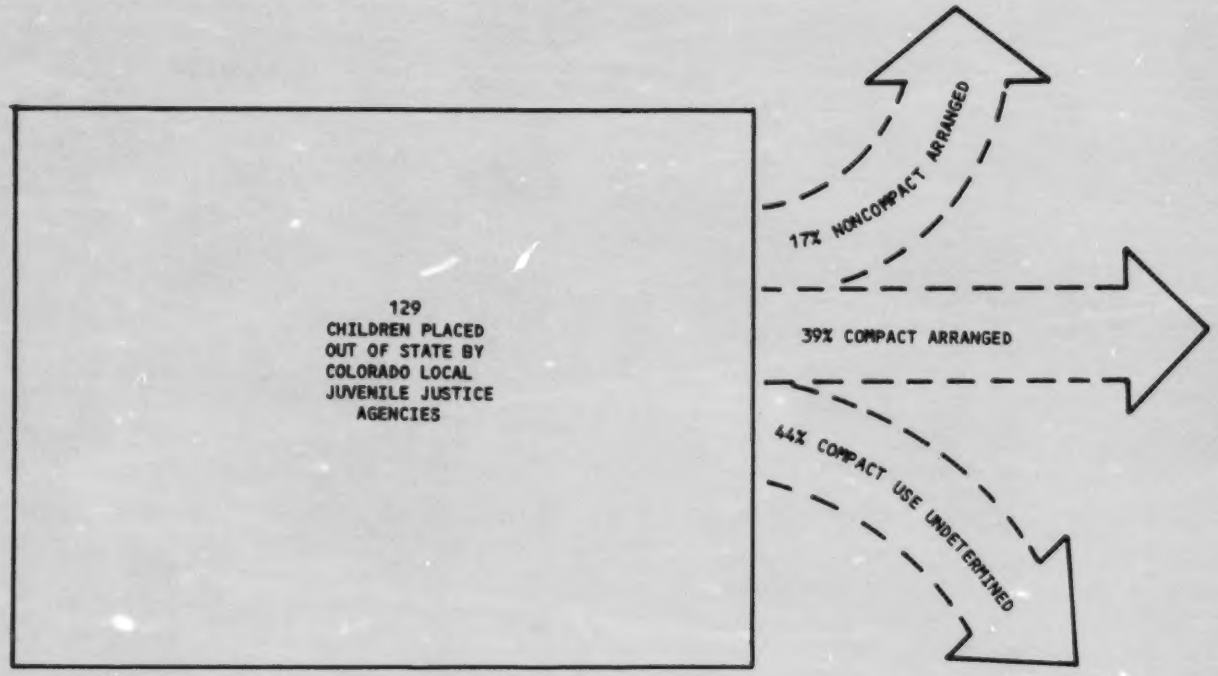

9
CHILDREN PLACED OUT OF STATE BY COLORADO LOCAL EDUCATION AGENCIES
78% NON COMPACT ARRANGED
22% COMPACT ARRANGED
0% COMPACT USE UNDETERMINED

FIGURE 06-6. COLORADO: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978



Compact utilization for out-of-state placements reported by state agencies is shown in Table 06-14. The proportion of placements which the state child welfare agency (DSS) reported processing through a compact is somewhat less than the proportion reported by local agencies. The difference in percentage is due to the different number of total placements and the placements that the state agency reported being processed through a compact.

Only 19 percent of the state and local placements arranged by juvenile justice agencies reported by the state juvenile justice agency (DYS) were processed through a compact. Again, the state reported a lesser amount of compact-arranged placements than did their local counterparts.

The state education agency was not aware of any compact use, and the state mental health and retardation divisions of the Department of Institutions did not know if a compact had been used in the arranging of one placement.

TABLE 06-14. COLORADO: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency-Arranged Placements	202	9	161	1
Total Number of Compact-Arranged Placements Reported by State Agencies	127	0	30	*
Percentage of Compact-Arranged Placements	63	0	19	*

* denotes Not Available.

E. The Out-of-State Placement Practices of State Agencies

It was mentioned at the outset of this discussion (in reference to Table 06-2) that out-of-state placement is primarily a local phenomenon in Colorado. However, as seen in Table 06-15, this does not preclude the fact that some out-of-state placements are directly attributable to state agencies. The state child welfare agency (DSS) reported arranging and funding placements for about 17 children and helped arrange placements for an additional three children. It can also be seen that this state agency had funded 130 placements which were arranged by county child welfare agencies.

Local school districts, as described in section II, may arrange and fund out-of-state placements without reporting to the Department of Education if they do not desire reimbursement from that agency. The use of this option by the local school districts may explain why the state-reported placement information reflects fewer placements than were reported locally.

The state juvenile justice agency within the Department of Institutions reported involvement in the arrangement of 32 placements. The 30 placements reported under the "Other" category are placements arranged through the Interstate Compact for Juveniles which required no state funding. The remaining two out-of-state placements involving this agency were children that the agency helped place but did not fund the placements. The Divisions of Mental Health and Developmental Disabilities within the Department of Institutions reported involvement in a single out-of-state placement in 1978 which it also did not fund but simply helped arrange.

TABLE 06-15. COLORADO: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare[a]	Education	Juvenile Justice	Mental Health and Mental Retardation
State Arranged and Funded	0	0	0	0
Locally Arranged but State Funded	130	0	0	0
Court Ordered, but State Arranged and Funded	17 est	0	0	0
Subtotal: Placements Involving State Funding	147 est	0	0	0
Locally Arranged and Funded, and Reported to State	0	1	0	0
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	3 est	1	2	1
Other	*	0	30	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[b]	134	1	32	1

* denotes Not Available.

a. This column does not total because of double counting of children within the Types of Involvement catgories.

b. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

State agencies in Colorado showed an ability to report on their out-of-state placement activities to the extent that they were prepared to respond with specific information. However, the figures reported by the child welfare agencies and the juvenile justice agencies offer only rough approximations of the placement activity that was detected among their local counterparts.

Information about the destination of children who were known to state agencies to have been placed out of state is all almost completely absent, as seen in Table 06-16.

TABLE 06-16. COLORADO: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
District of Columbia		1		
Indiana				1
Placements for Which Destinations Could Not be Reported by State Agencies	All	0	All	0
Total Number of Placements	134	1	32	1

The conditions and statuses of children reported placed out of state with the involvement of state agencies are listed in Table 06-17. Similar to local child welfare agencies, the Department of Social Services reported arranging out-of-state placements for children with a variety of the characteristics. The Division of Youth Services' responses, by contrast, were more confined to those statuses and conditions typically associated with children that would come under its care. These responses included juvenile delinquents, unruly or disruptive children, and children with drug or alcohol problems. The agency also characterized some children as emotionally disturbed, which in some cases relates to children with the other conditions mentioned.

Placements arranged with the involvement of the state education agency and the MH/DD divisions of the Department of Institutions are characteristic for those agencies, including physically handicapped and emotionally disturbed, and physically handicapped and developmentally disabled, respectively.

TABLE 06-17. COLORADO: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Physically Handicapped	X	X	0	X
Mentally Handicapped	X	0	0	0
Developmentally Disabled	X	0	0	X
Unruly/Disruptive	X	0	X	0
Truants	X	0	0	0
Juvenile Delinquents	X	0	X	0
Emotionally Disturbed	X	X	X	0
Pregnant	0	0	0	0

TABLE 06-17. (Continued)

Types of Conditions	Agency Type[a]			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Drug/Alcohol Problems	0	0	X	0
Battered, Abandoned, or Neglected	0	0	0	0
Adopted Children	X	0	0	0
Foster Children	X	0	0	0
Other	0	0	0	0

a. X indicates conditions reported.

Cost information was also sought from state agencies, and they were asked to report all out-of-state placement expenditures in 1978 according to various sources of revenue. As displayed in Table 06-18, the Division of Institutions reported that no funds were expended for out-of-state placements involving the Divisions of Youth Services, Mental Health, or Developmental Disabilities. The Department of Education reported the expenditure of $1,000 in federal funds for the single placement that was reported, and fiscal information was not available from the Department of Social Services.

TABLE 06-18. COLORADO: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY STATE AGENCIES

Levels of Government	Expenditures, by AGENCY Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
• State	*	0	0	0
• Federal	*	$1,000	0	0
• Local	*	0	0	0
• Other	*	0	0	0
Total Reported Expenditures	*	$1,000	0	0

* denotes Not Available.

F. State Agencies' Knowledge of Out-of-State Placement

State data collection was designed to gather information about placements arranged by state agencies as well as information about locally arranged placements. Such information was collected in order to examine the state agencies' knowledge of local and state-arranged out-of-state placements. In Table 06-19, it can be seen that the state child welfare agency (DSS) had knowledge of 66 percent of the placements. The remaining 34 percent were local placements unknown to the state agency. To a lesser

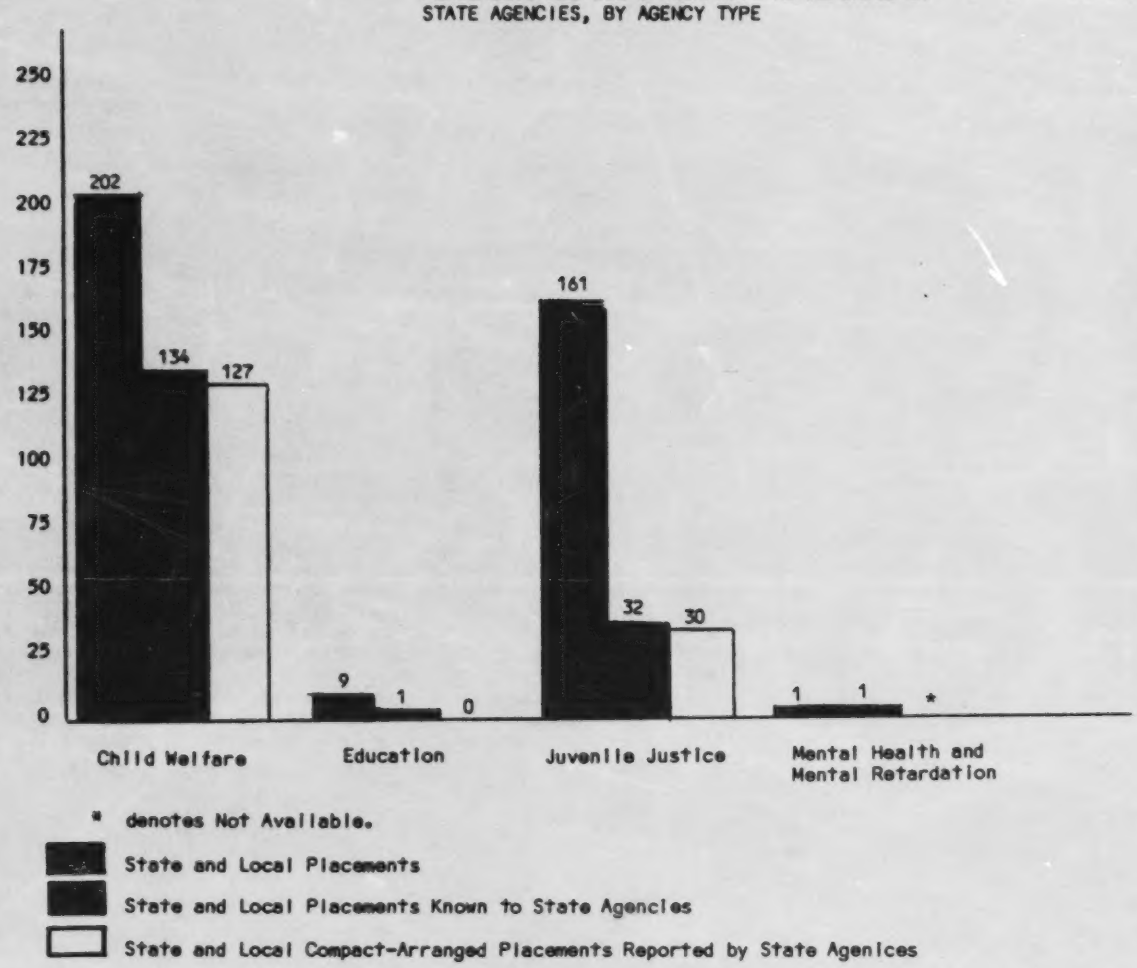
degree, the state education and juvenile justice agencies only had knowledge of 11 and 20 percent of the children placed by their respective local counterparts. The Divisions of Mental Health and Mental Retardation had knowledge of the one placement arranged by them.

TABLE 06-19. COLORADO: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Retardation
Total Number of State and Local Agency Placements	202	9	161	1
Total Number of Placements Known to State Agencies	134	1	32	1
Percentage of Placements Known to State Agencies	66	11	20	100

In summarizing the findings from Table 06-19 and the previous Table 06-14, Figure 06-7 reveals the total number of state and local placements and use of compacts as reported by state agencies. Although mentioned earlier, it becomes evident in this figure that the state child welfare, education, and juvenile justice agencies did not have complete knowledge of all out-of-state placements and reported less than complete compact utilization of the placements known to them.

FIGURE 06-7. COLORADO: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

A few trends emerge from the foregoing findings which deserve mention.

- Local child welfare and juvenile justice agencies in urban areas assumed the leading role among Colorado public agencies in placing children out of Colorado in 1978. The children placed by these agencies had a very wide variety of problems and needs, and were not restricted to adoption, dependency, and juvenile delinquency cases.
- In comparison, the involvement of state agencies in arranging out-of-state placements for children was minimal and generally did not involve the expenditure of state funds.
- Texas and Arizona were principal receiving states for those placements arranged by local child welfare and juvenile justice agencies. In addition, approximately 48 percent of the children placed out of state by child welfare agencies and 63 percent of those placed by local juvenile

justice agencies (for which destinations were reported) went to states contiguous to Colorado. Even though a large number of the placements were arranged in states relatively close to Colorado, only one agency reported monitoring practices involving on-site visits. Generally, written progress reports and telephone calls were relied upon for monitoring purposes.

- Children have been frequently sent to other states for care and treatment by child welfare agencies because of perceived insufficient in-state services, and by juvenile justice agencies as an alternative to in-state institutionalization and to live with relatives.

- Overall, state agencies in Colorado had minimal knowledge of the out-of-state placements arranged by the local agencies they supervised.

- Interpretation of Colorado statutes pertaining to out-of-state placement varied among local agencies, with conflicting understanding of their placement authority.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Colorado in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTES

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN KANSAS

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly James Marshall, Director of Special Education, Department of Education; MaryLou Howell, Division of Children and Youth, Department of Social and Rehabilitation Services; Jim Trest, Division of Children and Youth, Department of Social and Rehabilitation Services; John Johnston, Director of Court Services, Office of Judicial Administration; Dale Jerik, Social Service Consultant, Division of Mental Health and Retardation Services, Department of Social and Rehabilitation Services; Gerald Carder, Education Program Specialist, Department of Education; and Warren Schoonmaker, Research and Statistics Division, Department of Social and Rehabilitation Services.

II. METHODOLOGY

Information was systematically gathered about Kansas from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Kansas appears below in Table 17-1.

TABLE 17-1. KANSAS: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone Interview Mailed Survey: DSRS officials	Telephone Interview Mailed Survey: DOE officials	Telephone Interview Mailed Survey: DSRS officials	Telephone Interview Mailed Survey: DSRS officials
Local Agencies[a]	Not Applicable (State Offices)	Telephone Survey: 10 percent sample of the 307 school districts to verify state information[b]	Telephone Survey: All 29 district courts and juvenile probation agencies which were locally operated in those districts	Telephone Survey: All 12 locally operated public community mental health and retardation centers

a. The telephone survey was conducted by the Wyandotte Association, Inc., of Kansas City under a subcontract to the Academy.

b. Information attributed in this profile to the state's school districts was gathered from the state education agency and the ten percent sample.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Kansas has the 13th largest land area (81,787 square miles) and is the 31st most populated state (2,279,899) in the United States. It has 35 cities with populations over 10,000 and ten cities with population over 25,000. Wichita (Sedgwick County) is the most populated city in the state with over 250,000 people. Topeka, the capital, is the third most populated city in the state. It has 105 counties. The estimated 1978 population of persons eight to 17 years old was 381,222.

Kansas has four Standard Metropolitan Statistical Areas (SMSAs). One of these SMSAs includes a portion of a contiguous state, Missouri. Other contiguous states are Nebraska, Oklahoma, and Colorado.

Kansas was ranked 27th nationally in total state and local per capita expenditures, 23rd in per capita expenditures for education, and 23rd in per capita expenditures for public welfare.[1]

B. Child Welfare

The Department of Social and Rehabilitation Services' (DSRS) Division of Children and Youth (DCY) administers child welfare services in Kansas. This agency is responsible for protective services, adoption, foster care, day care, and delinquency prevention grants. In addition, the DCY licenses all foster care facilities. There are 17 area offices of the DSRS which supervise the delivery of services by the state's 105 branch departments of social and rehabilitation services. All out-of-state placements

arranged by DCY are reported to be made pursuant to the provisions of the Interstate Compact on the Placement of Children (ICPC) which the agency administers. Kansas has been a member of the compact since 1976.

C. Education

The Kansas Department of Education (DOE) has the major responsibility for implementing legislation and state guidelines for public and private education. The state has 307 school districts which provide special education services and the normal K-12 curriculum, as well as 60 special education administrative units. Each unit includes a single "sponsoring" (administrating) school district and several participating school districts. The participating school districts are either involved in a unit on a shared-cost basis or enter into an interlocal service agreement, i.e., cooperatives.

Kansas law requires all districts/cooperatives to submit local comprehensive plans to the DOE for authorization to contract with any public or private school for educational services.[2] Any private program which serves exceptional children must first be approved or accredited by the DOE, in order for the state to share in the placement costs. The DOE also requires all out-of-state facilities to be accredited or approved by the state in which they are located to be eligible for entering into contracts with school districts or cooperatives in Kansas.

D. Juvenile Justice

Kansas' Department of Social and Rehabilitation Services (DSRS), through its Divison of Mental Health and Retardation, operates detention facilities and correctional institutions housing juveniles. The state's judicial system for handling juveniles is organized into 29 judicial districts, comprising from one to portions of seven counties, with a court located in each of the 105 counties. In the past, administrative judges had responsibility for managing juvenile probation services in Kansas. In addition to this responsibility, judges previously had the authority to directly commit youth to particular state institutions or other types of facilities they felt were appropriate. However, an attorney general's opinion and new legislation has acted to curtail this responsibility and authority. In effect, these measures require that both probation and placement decisions become a function of DSRS. During the transition year, probation services were either handled by juvenile officers in the 29 district courts or by DSRS branch offices. During 1978, the courts had a range of placement alternatives available. They could commit children to the DSRS, and usually did, for residential placements. However, the courts could also place independently, especially for youth in the community on probation or parole. Out-of-state placements were reportedly made pursuant to the provisions of the Interstate Compact on Juveniles (ICJ) which is administered by the DSRS. Kansas has been a member of the compact since 1965.

E. Mental Health and Mental Retardation

Kansas' Department of Social and Rehabilitation Services, Division of Mental Health and Retardation Services, also administers mental health and mental retardation hospitals and has a planning and coordination responsibility for mental health and retardation services throughout the state. The state has established 35 local mental health and retardation governing boards with administrative responsibility for community-based services. Twelve of these boards provide direct services through community mental health and retardation centers. The remaining 23 subsidize services through private agencies. Two-thirds of their fundings comes from nongovernmental sources, such as fees, and one-third comes from county revenue. The jurisdiction of these local centers varies and may include portions of a single county, an entire county, or portions of several counties.

The law does not prohibit the community mental health agencies from placing children in other states, but there is an informal agreement that they will notify the Division of Mental Health and Retardation Services when such placements are arranged. Kansas has been a member of the Interstate Compact on Mental Health since 1967.

F. Recent Developments

As mentioned previously, Kansas is in the process of changing its system of handling juvenile delinquents. A new law, effective July 1, 1979, requires the juvenile divisions of district courts to remand adjudicated delinquents to the Department of Social and Rehabilitation Services for appropriate placement. Previously, judges had the power to directly commit youths to any one of the state's six juvenile centers. Now the department is also charged with developing comprehensive aftercare services in its Division of Children and Youth.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The results of the survey of state and local agencies in Kansas follow in summary tables and are accompanied by brief narrative remarks.

A. The Number of Children Placed in Out-of-State Residential Settings

A summary of the 1978 incidence of out-of-state placements reported by each agency contacted at the state and local levels of government is provided in Table 17-2. As indicated in Table 17-2, the out-of-state placement practices of the state agencies responsible for child welfare, juvenile justice, and mental health and retardation were captured in a single response given by the Department of Social and Rehabilitative Services. Unfortunately, the DSRS officials were unable to report the number of children placed in out-of-state residential care in 1978. For that reason, this information has been designated as not available.

A total of 247 children were reported placed out-of-state in 1978. The information displayed in Table 17-2 reveals that local juvenile justice agencies eclipse all other state and local agencies in the sheer volume of out-of-state placements reported in 1978. Local juvenile justice agencies were responsible for over 96 percent of all children leaving Kansas that year as a result of public agency action. The remaining out-of-state placements involved only nine children and were arranged by state and local education agencies, and local mental health and mental retardation agencies.

TABLE 17-2. KANSAS: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare/ Juvenile Justice/ Mental Health and Mental Retardation	Education	Juvenile Justice	Mental Health and Mental Retardation	Total
State Agency Placements[a]	*	2	--[b]	--[b]	2
Local Agency Placements	--[c]	4	238	3	245
Total	*	6	238	3	247

* denotes Not Available.
-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 17-15 for specific information regarding state agency involvement in arranging out-of-state placements.

b. The Department of Social and Rehabilitative Services preferred to provide a consolidated response for this information and the response is displayed in the first column of this table.

c. There are no child welfare services operated by local government in Kansas. Other areas of service under local auspices are displayed in their appropriate column.

Table 17-3 indicates that a large proportion of the out-of-state placements arranged by local juvenile justice agencies involved agencies with single-county jurisdictions in the more urban areas of the state. In fact, 50 percent of all local juvenile justice out-of-state placements involved agencies in Johnson, Shawnee, Sedgwick, and Douglas counties. Each of these counties are within Standard Metropolitan Statistical Areas (SMSA) and Johnson county is in an SMSA that includes part of Missouri. One-fourth of the out-of-state placements arranged by Kansas local juvenile justice agencies were reported by five large, primarily rural, multicounty jurisdictions.

The total of seven out-of-state placements arranged by school districts and local mental health and retardation centers involved both urban and rural areas. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all within them. The four children placed out of state by school districts were placed by districts in Sedgwick County (60,585), Pratt County (1,519), Butler County (7,103), and Dickinson County (3,254). A similar trend of variant population size can be observed for the placements arranged by local mental health and retardation centers.

TABLE 17-3. KANSAS: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Education	Juvenile Justice	Mental Health and Mental Retardation
Allen	2,290	0	—	—
Anderson	1,482	0	—	—
Atchison	3,235	0	—	—
Barber	1,075	0	—	—
Barton	5,653	0	—	—
Bourbon	2,202	0	—	—
Brown	1,659	0	—	—
Butler	7,103	1	—	—
Chase	576	0	—	—
Chautauqua	605	0	—	—
Cherokee	3,562	0	—	—
Cheyenne	698	0	—	—
Clark	435	0	—	—
Clay	1,382	0	—	—
Cloud	1,993	0	—	—
Coffey	1,194	0	—	—
Comanche	406	0	—	—
Cowley	5,211	0	—	—
Crawford	4,995	0	—	1
Decatur	708	0	—	—
Dickinson	3,254	1	—	—
Doniphan	1,536	0	—	—
Douglas	8,297	0	15 est	—
Edwards	701	0	—	—
Elk	467	0	—	—
Ellis	4,289	0	—	—
Ellsworth	899	0	—	—
Finney	4,681	0	—	—
Ford	4,270	0	—	—
Franklin	3,517	0	—	0
Geary	4,137	0	—	—
Gove	869	0	—	—
Graham	820	0	—	—
Grant	1,395	0	—	—
Gray	859	0	—	—
Greeley	326	0	—	—
Greenwood	1,187	0	—	—
Hamilton	465	0	—	—
Harper	1,021	0	—	—
Harvey	4,857	0	—	—
Haskell	801	0	—	—
Hodgeman	428	0	—	—
Jackson	2,058	0	—	—
Jefferson	2,532	0	—	—
Jewell	868	0	—	—

TABLE 17-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978			
		Education	Juvenile Justice	Mental Health	and Retardation
Johnson	45,630	0	30 est		0[b]
Kearney	671	0	--		--
Kingman	1,587	0	--		--
Kiowa	556	0	--		--
Labette	4,360	0	--		--
Lane	414	0	--		--
Leavenworth	10,091	0	--		--
Lincoln	672	0	--		--
Linn	1,116	0	--		--
Logan	690	0	--		--
Lyon	4,371	0	--		--
McPherson	4,116	0	--		--
Marion	2,145	0	--		--
Marshall	2,199	0	--		--
Meade	827	0	--		--
Miami	3,583	0	--		0
Mitchell	1,264	0	--		--
Montgomery	6,116	0	0		--
Morris	969	0	--		--
Morton	698	0	--		--
Nemaha	2,244	0	--		--
Neosho	3,029	0	--		--
Ness	820	0	--		--
Norton	1,058	0	--		--
Osage	2,491	0	--		--
Osborne	849	0	--		--
Ottawa	995	0	--		--
Pawnee	1,193	0	--		--
Phillips	1,401	0	--		--
Pottawatomie	2,190	0	--		--
Pratt	1,519	1	--		--
Rawlins	825	0	--		--
Reno	10,508	0	5 est		--
Republic	1,187	0	--		--
Rice	1,767	0	--		--
Riley	7,167	0	--		--
Rooks	1,226	0	--		--
Rush	749	0	--		--
Russell	1,510	0	--		--
Saline	9,715	0	--		--
Scott	1,105	0	--		--
Sedgwick	60,585	1	45 est		2
Seward	2,985	0	--		--
Shawnee	25,788	0	30 est		--
Sheridan	687	0	--		--
Sherman	1,535	0	--		--
Smith	989	0	--		--
Stafford	897	0	--		--
Stanton	549	0	--		--
Stevens	816	0	--		--

TABLE 17-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Education	Juvenile Justice	Mental Health and Mental Retardation
Sumner	4,007	0	--	--
Thomas	1,391	0	--	--
Trego	742	0	--	--
Wabaunsee	1,089	0	--	--
Wallace	459	0	--	--
Washington	1,317	0	--	--
Wichita	758	0	--	--
Wilson	1,762	0	--	--
Woodson	618	0	--	--
Wyandotte	31,764	0	1 est	--
Multicounty Jurisdictions				
Finney, Greeley, Kearny, Stanton, Morton, Ford, Hamilton, Lane, Wichita, Stevens, Grant, Hodgeman, Scott, Gray		--	--	0
Haskell, Meade, Seward		--	--	0
Wichita, Sedgwick		--	--	0
Allen, Bourbon, Anderson, Finney, Neosho, Woodson		--	--	0
Clay, Geary, Marshall, Riley, Pottawatomie		--	--	0
Saline, Ottawa, Lincoln, Ellsworth, Dickinson		--	--	0
Bourbon, Miami, Linn		--	5 est	-
Dickinson, Geary, Marion, Morris, Lyon		--	12 est	--
Atchison, Leavenworth		--	11 est	--
Allen, Anderson, Coffey, Osage, Woodson, Franklin		--	5	--
Marshall, Nemaha, Brown, Doniphan		--	5 est	--
Finney, Greeley, Hamilton, Kearny, Scott, Wichita		--	5 est	--
Elk, Chautauqua, Greenwood, Butler		--	9 est	--

TABLE 17-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Education	Juvenile Justice	Mental Health and Mental Retardation
Multicounty Jurisdictions (Continued)				
Sumner, Barber, Harper, Cowley, Kingman, Pratt		--	31 est	--
Ellis, Gove, Logan, Trego, Wallace		--	0	--
Clay, Riley		--	0	--
Barton, Ellsworth, Rice, Russell, Stafford		--	4	--
Saline, Ottawa		--	0	--
Stevens, Grant, Haskell, Morton, Seward, Stanton		--	2	--
Edwards, Hodgeman, Ness, Lane, Pawnee, Rush		--	0	--
Norton, Decatur, Osborne, Rawlins, Phillips, Cheyenne, Smith		--	1	--
Commanche, Meade, Clark, Ford, Gray, Kiowa		--	3 est	--
Thomas, Sherman, Sheridan, Rooks, Graham		--	10 est	--
Cloud, Jewell, Lincoln, Mitchell, Republic, Washington		--	0	--
Crawford, Neosho, Cherokee, Wilson, Labette		--	2	--
McPherson, Harvey		--	*	--
Chase, Lyon		--	4 est	--
Jackson, Jefferson, Wabaunsee, Pottawatomie		--	3	--

TABLE 17-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of Placements Arranged by Local Agencies (total may include Duplicate count)		4	238 est	3
Total Number of Local Agencies Reporting		307	29	12

* denotes Not Available.
-- denotes Not Applicable.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

b. There are two Mental Health and Retardation centers with jurisdiction in Johnson County and both agencies reported arranging no out-of-state placements in 1978.

B. The Out-of-State Placement Practices of Local Agencies

The involvement of local agencies in arranging out-of-state placements in 1978 is reported in Table 17-4. Only a small number of school districts and mental health and mental retardation centers reported involvement in placing children out of Kansas. In contrast, 79 percent of the reporting judicial circuits (including juvenile courts and locally administered probation agencies) were involved in placing children out of state. As Table 17-4 indicates, the local juvenile justice agency in one judicial circuit (McPherson and Harvey Counties) was unable to report placements which were made in 1978.

TABLE 17-4. KANSAS: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type		
	Education	Juvenile Justice	Mental Health and Mental Retardation
Agencies Which Reported Out-of-State Placements	4	22	2
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0	1	0
Agencies Which Did Not Place Out of State	303	6	10
Agencies Which Did Not Participate in the Survey	0	0	0
Total Local Agencies	307	29	12

All local agencies which did not place any children out of Kansas in 1978 were asked to report why no such placements occurred. Table 17-5 shows that of the 303 school districts that did not place any children, the response was that sufficient services were available in Kansas to meet service needs. Thirteen responses pertained to the absence of statutory authority to make out-of-state placements, which evidently refers to the requirement concerning the need to receive authorization from the DOE prior to contracting with out-of-state facilities.

All but one of the local juvenile justice agencies not involved in arranging out-of-state placements in 1978 also cited the presence of sufficient services in Kansas to meet service needs. Three of these agencies said that they lacked the funds that would be needed for out-of-state placements, and one agency indicated a lack of statutory authority, which is unexplainable by Kansas law.

The ten mental health centers not involved in placing children out of Kansas were divided in their responses, citing the lack of funds for placement, the presence of sufficient in-state services, lack of statutory authority, and other reasons for not sending children into other states.

TABLE 17-5. KANSAS: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)		
	Education	Juvenile Justice	Mental Health and Mental Retardation
Lacked Statutory Authority	13	1	1
Restricted	0	0	0
Lacked Funds	0	3	6
Sufficient Services Available In State	303	5	4
Other[b]	15	1	7
Number of Agencies Reporting No Out-of-State Placements	303	6	10
Total Number of Agencies Represented in Survey	307	29	12

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive to family visitations because of distance.

Local agencies often enlist the assistance of other public agencies in the course of placement decisionmaking and arrangement. The extent of interagency cooperation to arrange out-of-state placements in Kansas is given in Table 17-6. The findings indicate that out-of-state placements are very much an interagency phenomenon in Kansas, with the majority of all agencies contacted reporting such cooperative activity. Generally, this interagency cooperation consisted of actions with state agencies such as the DSRS for compact utilization or the DOE for contract authorization.

TABLE 17-6. KANSAS: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type					
	Education		Juvenile Justice		Mental Health and Mental Retardation	
	Number	Percent	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	4	1	22	76	2	17
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	2	50	18	82	2	100
Number of CHILDREN Placed Out of State	4	100	238	100	3	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	2	50	172	72	3	100

All local agencies placing children out of Kansas were asked to describe the type of child placed out of state in 1978 according to a variety of conditions or statuses. The responses of local placing agencies appear in Table 17-7 and, again, of special interest are the responses of local juvenile justice agencies.

Most of the local juvenile justice agencies reported that children placed out of Kansas were unruly/disruptive or adjudicated delinquents. Nearly one-half of these agencies also reported placing children out of state who were battered, abandoned, or neglected. It is also noteworthy that at least some of them reported placing children with every characteristic offered for description except multiple handicaps. These responses include mentally retarded or developmentally disabled, mentally ill/emotionally disturbed, and children in need of special education services.

The children placed out of state by school districts and local mental health and retardation centers were characterized as physically handicapped, mentally retarded or developmentally disabled, unruly/disruptive, mentally ill/emotionally disturbed, and in need of special education.

TABLE 17-7. KANSAS: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting		
	Education	Juvenile Justice	Mental Health and Mental Retardation
Physically Handicapped	2	1	0
Mentally Retarded or Developmentally Disabled	1	3	0
Unruly/Disruptive	0	16	1
Truant	0	6	0
Juvenile Delinquent	0	17	0

TABLE 17-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting		
	Education	Juvenile Justice	Mental Health and Mental Retardation
Mentally Ill/Emotionally Disturbed	0	5	1
Pregnant	0	4	0
Drug/Alcohol Problems	0	9	0
Battered, Abandoned, or Neglected	0	10	0
Adopted	0	5	0
Special Education Needs	1	4	0
Multiple Handicaps	0	0	0
Other[b]	0	4	0
Number of Agencies Reporting	3[c]	22	2

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

c. Response was not received for one placing school district.

C. Detailed Data from Phase II Agencies

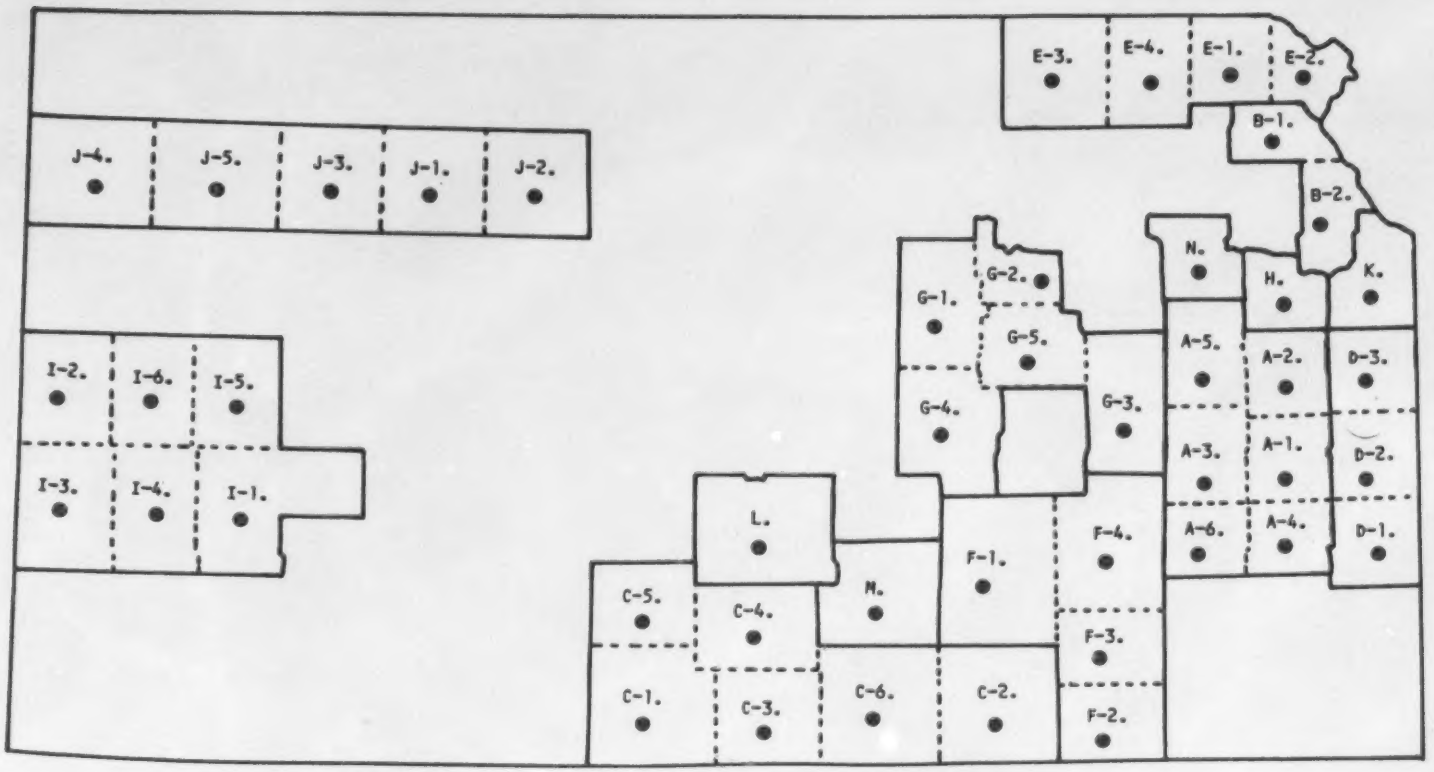
If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Kansas' state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

The relationship between the number of local Kansas agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 17-1. Nearly 64 percent of the local placing juvenile justice agencies in Kansas were Phase II agencies. These 14 agencies placed 218 children out of state in 1978, or 92 percent of all the children reported by these local agencies. Clearly, the detailed information to be reported on the practices of Phase II agencies is descriptive of the majority of out-of-state placements arranged by Kansas local agencies in 1978.

FIGURE 17-1. KANSAS: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Juvenile Justice
Number of AGENCIES	29
Number of AGENCIES Reporting Out-of-State Placements In 1978	22
Number of AGENCIES Reporting Five or More Placements In 1978 (Phase II Agencies)	14
Number of CHILDREN Placed Out of State In 1978	238
Number of CHILDREN Placed by Phase II Agencies	218
Percentage of Reported Placements In Phase II	92

The county location of local Phase II agencies are illustrated in Figure 17-2. A prevalence (86 percent) of these agencies serve counties in the eastern portion of the state. It is also apparent that every one of Kansas' contiguous states shares some of its border with at least one Phase II agency's jurisdictional area.



County

A-1.	Allen	D-1.	Bourbon	G-4.	Marion	K.	Johnson
A-2.	Anderson	D-2.	Linn	G-5.	Morris	L.	Reno
A-3.	Coffey	D-3.	Miami	H.	Douglas	M.	Sedgwick
A-4.	Franklin	E-1.	Brown	I-1.	Finney	N.	Shawnee
A-5.	Osage	E-2.	Doniphan	I-2.	Greeley		
A-6.	Woodson	E-3.	Marshall	I-3.	Hamilton		
B-1.	Atchison	E-4.	Nemaha	I-4.	Kearney		
B-2.	Leavenworth	F-1.	Butler	I-5.	Scott		
C-1.	Barber	F-2.	Chautaugua	I-6.	Wichita		
C-2.	Cowley	F-3.	Elk	J-1.	Graham		
C-3.	Harper	F-4.	Greenwood	J-2.	Rooks		
C-4.	Kingman	G-1.	Dickinson	J-3.	Sheridan		
C-5.	Pratt	G-2.	Geary	J-4.	Sherman		
C-6.	Sumner	G-3.	Lyon	J-5.	Thomas		

● Juvenile Justice Phase II Agency Jurisdiction

FIGURE 17-2. KANSAS: COUNTY LOCATION OF LOCAL PHASE II AGENCIES

The destinations of children placed out of state by the Phase II local agencies are given in Table 17-8. As indicated in the previous table, only juvenile justice agencies reported arranging five or more out-of-state placements and, consequently, the states and foreign countries receiving the children placed out of state by local education or mental health and retardation centers are not given.

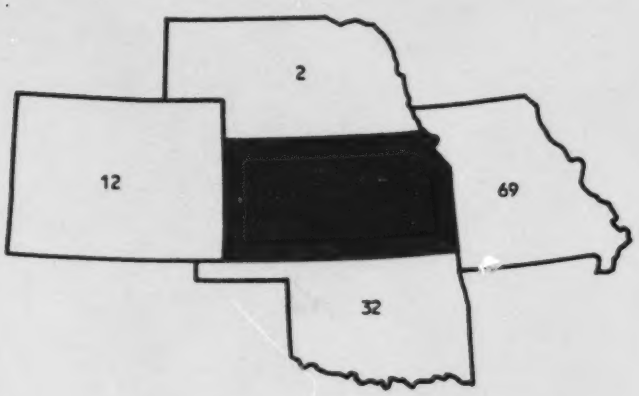
The table indicates that local juvenile justice agencies were able to report the destinations of all but 46 of the 218 children they placed out of state. Further, it can be seen that children were sent to 20 different states and to Canada. States receiving relatively large numbers of children placed by local juvenile justice agencies in Kansas included Missouri (69), Oklahoma (32), Texas (19), Colorado (12), and Arkansas (10).

TABLE 17-8. KANSAS: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed Juvenile Justice
Arkansas	10
California	5
Colorado	12
Georgia	1
Idaho	2
Illinois	3
Indiana	3
Kentucky	1
Michigan	2
Minnesota	1
Missouri	69
Nebraska	2
New Mexico	2
Oklahoma	32
Oregon	1
South Carolina	2
Tennessee	1
Texas	19
Vermont	1
Washington	1
Canada	2
Placements for Which Destinations Could Not be Reported by Phase II Agencies	46
Total Number of Phase II Agencies	14
Total Number of Children Placed by Phase II Agencies	218

Implications to parental visitation and on-site monitoring of the placements are suggested with knowledge about the extent to which the Phase II agencies used placements in contiguous or nearby states. This trend was fairly prevalent in 1978, as shown in Figure 17-3. Two-thirds of all out-of-state placements for which destination information was reported went to states contiguous to Kansas. Two of these border states, Missouri and Oklahoma, received 59 percent of all the placements for which destinations were reported.

FIGURE 17-3. KANSAS: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO KANSAS BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II juvenile justice agencies reported destinations for 172 children.

Phase II juvenile justice agencies were asked to describe why these placements occurred. Table 17-9 indicates that every such agency reported that the placements were arranged so that the children could live with relatives. Many of these agencies also placed children because of previous success with a facility or as an alternative to in-state public institutionalization. The next most frequently mentioned reason was because Kansas lacked services comparable to the state to which a child was sent. It is also interesting to observe that five local Phase II juvenile justice agencies indicated that their out-of-state placements were closer to the child's home despite being located across state lines. Furthermore, four of these agencies described out-of-state placements as a standard procedure for certain types of children.

TABLE 17-9. KANSAS: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	5
Previous Success with Receiving Facility	10
Sending State Lacked Comparable Services	8
Standard Procedure to Place Certain Children Out of State	4
Children Failed to Adapt to In-State Facilities	6
Alternative to In-State Public Institutionalization	10
To Live with Relatives (Non-Parental)	14
Other	3
Number of Phase II Agencies Reporting	14

a. Some agencies reported more than one reason for placement.

The responses to a question about the type of residential setting to which children were most frequently sent in 1978 appear in Table 17-10. Again, the results reflect only the responses of local juvenile justice agencies, because the question was only asked of those agencies placing five or more children out of Kansas. The most frequent response to this item was, as suggested in the previous table, that children were sent to relatives' homes. However, three agencies said that they most frequently send children to residential treatment or child care facilities, two said foster homes, and two others responded group homes.

TABLE 17-10. KANSAS: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting Juvenile Justice
Residential Treatment/Child Care Facility	3
Psychiatric Hospital	0
Boarding/Military School	0
Foster Home	2
Group Home	2
Relative's Home (Non-Parental)	6
Adoptive Home	0
Other	1
Number of Phase II Agencies Reporting	14

Nine Phase II juvenile justice agencies reported upon their monitoring practices for out-of-state placements and the frequency with which they were undertaken in 1978. Their responses are included in Table 17-11. Most of these agencies reported that they receive written quarterly progress reports on the child while in placement and that they maintain telephone contact with the setting on an irregular basis. Three agencies also reported making on-site visits to the receiving setting on an irregular basis.

TABLE 17-11. KANSAS: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a] Juvenile Justice
Written Progress Reports	Quarterly	7
	Semiannually	2
	Annually	0
	Other[b]	1
On-Site Visits	Quarterly	0
	Semiannually	0
	Annually	0
	Other[b]	3
Telephone Calls	Quarterly	2
	Semiannually	1
	Annually	0
	Other[b]	8
Other	Quarterly	1
	Semiannually	0
	Annually	0
	Other[b]	1
Total Number of Phase II Agencies Reporting		9[c]

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

c. Responses were not received from five agencies.

Local Phase II agencies were also asked to report their expenditures for those placements. Only three of the juvenile justice agencies could provide this information and they reported spending a total of $3,000 in 1978 for out-of-state placements.

D. Use of Interstate Compacts by State and Local Agencies

Another important aspect of an investigation about the out-of-state placement of children concerns the extent to which interstate compacts are used to arrange such placements. A review of Table 17-12 reveals that ten local agencies did not use a compact for any out-of-state placements they arranged in 1978. None of the local education agencies or mental health and mental retardation centers placed children out of state through a compact. However, consideration of local juvenile justice agencies indicates that only five (24 percent) of the 21 agencies reported placing children out of state without ever using a compact, and the majority of those agencies arranged four or less placements. Other information given in Table 17-12 indicates the specific type of compact which was reported used by local Phase II juvenile justice agencies.

TABLE 17-12. KANSAS: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES		
	Education	Juvenile Justice	Mental Health and Mental Retardation
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	4	8	2
• Number Using Compacts	0	3	0
• Number Not Using Compacts	3	4	2
• Number with Compact Use Unknown	1	1	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	0	14	0
• Number Using Compacts	--	13	--
Interstate Compact on the Placement of Children			
Yes	--	3	--
No	--	5	--
Don't Know	--	6	--
Interstate Compact on Juveniles			
Yes	--	11	--
No	--	1	--
Don't Know	--	2	--
Interstate Compact on Mental Health			
Yes	--	1	--
No	--	6	--
Don't Know	--	7	--
• Number Not Using Compacts	--	1	--
• Number with Compact Use Unknown	--	0	--
TOTALS			
Number of AGENCIES Placing Children Out of State	4	22	2
Number of AGENCIES Using Compacts	0	16	0
Number of AGENCIES Not Using Compacts	3	5	2
Number of AGENCIES with Compact Use Unknown	1	1	0

-- denotes Not Applicable.

Further knowledge is learned about the use of interstate compacts by local agencies in Kansas by reviewing Table 17-13 which indicates the number of children placed out of state in 1978 with or without a compact. It should be understood from the preceding discussion that six children placed out of state by local education and mental health and retardation centers in 1978 were not compact-arranged placements and this is reflected in Table 17-13. The table also indicates that 40 children were reported placed out

of state by local juvenile justice agencies without the use of interstate compacts. Further examination of Table 17-13 shows the number of out-of-state placements arranged through the three compacts by those Phase II agencies. Interestingly, one child was reported placed out of state through the ICMH, which is puzzling considering the applicability of this compact to only include the transfer of a person from one state hospital to another public program.

TABLE 17-13. KANSAS: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN		
	Education	Juvenile Justice	Mental Health and Mental Retardation
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	4	20	3
• Number Placed with Compact Use	0	3	0
• Number Placed without Compact Use	3	11	3
• Number Placed with Compact Use Unknown[a]	1	6	0
CHILDREN PLACED BY PHASE II AGENCIES	0	218	0
• Number Placed with Compact Use[b]	---	115	---
Number through Interstate Compact on the Placement of Children	---	33	---
Number through Interstate Compact on Juveniles	---	79	---
Number through Interstate Compact on Mental Health	---	1	---
• Number Placed without Compact Use	---	29	---
• Number Placed with Compact Use Unknown	---	74	---
TOTALS			
Number of CHILDREN Placed Out of State	4	238	3
Number of CHILDREN Placed with Compact Use	0	118	0

TABLE 17-13. (Continued)

Children Placed Out of State	Number of CHILDREN		
	Education	Juvenile Justice	Mental Health and Mental Retardation
Number of CHILDREN Placed without Compact Use	3	40	3
Number of CHILDREN Placed with Compact Use Unknown	1	80	0

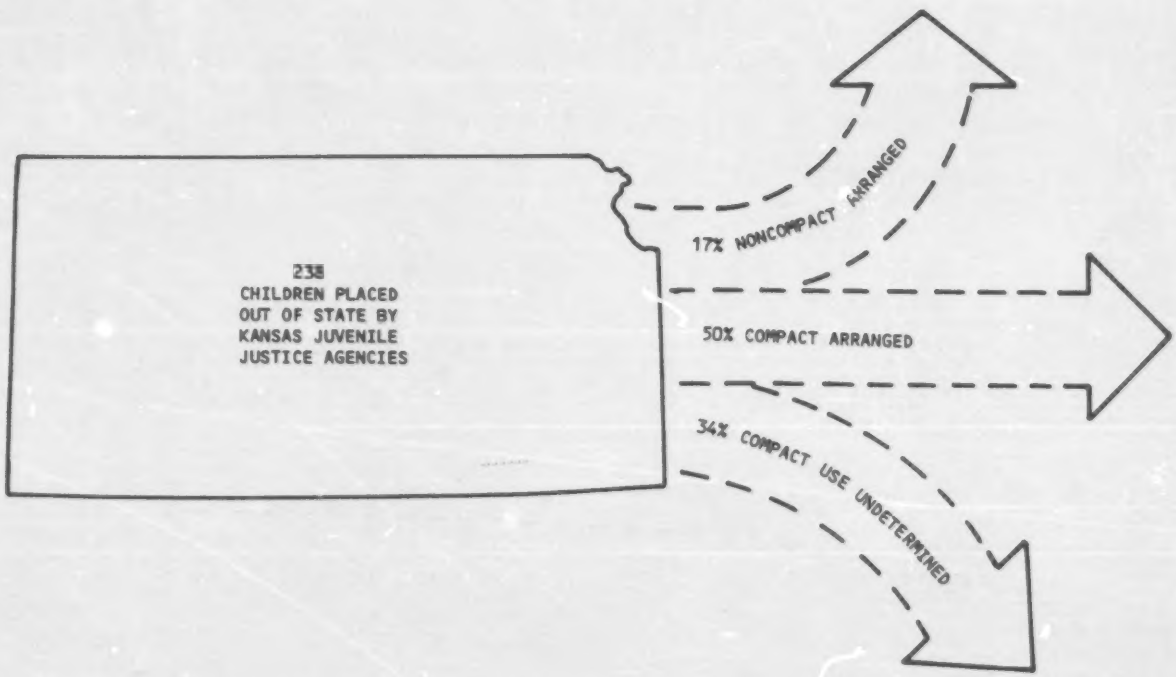
-- denotes Not Applicable.

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placements. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

b. If an agency reported using a compact but could not report the number of placements arranged through the specific compacts, one placement is indicated as compact arranged and the others are included in the category "number placed with compact use unknown."

A graphic summarization about the utilization of interstate compacts for the 238 children placed out of state by Kansas local juvenile justice agencies is illustrated in Figure 17-4. The figure illustrates findings about the proportion of these placements which were noncompact arranged, compact arranged, and those for which compact use was undetermined.

FIGURE 17-4. KANSAS: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978



Both state agencies were asked to report about their utilization of interstate compacts in the arrangement of out-of-state placements. It can be seen in Table 17-14 that DSRS was unable to provide information on the number of children placed through a compact in 1978. The Department of Education reported that none of the four placements of local school districts nor involving DOE were processed through an interstate compact.

TABLE 17-14. KANSAS: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES, IN 1978, BY AGENCY TYPE

	Child Welfare/Juvenile Justice/Mental Health and Mental Retardation	Education
Total Number of State and Local Agency-Arranged Placements	*a	6
Total Number of Compact-Arranged Placements Reported by State Agencies	*	0
Percentage of Compact-Arranged Placements	*	0

* denotes Not Available.

a. The survey of the local juvenile justice agencies identified 238 children placed out-of-state and the local mental health and mental retardation agencies reported sending 3 children out of Kansas in 1978.

E. The Out-of-State Placement Practices of State Agencies

Table 17-15 describes the ability of Kansas state agencies to report their involvement in out-of-state placements in 1978. Because of the consolidated services to children at the state level within the Department of Social and Rehabilitative Services, there were only two sources of information on out-of-state placements at the state level of government, the DOE and the DSRS.

Unfortunately, DSRS was not equipped to provide placement information solely for the year 1978 and, therefore, the information is designated as not available in the table. DSRS did report that it had placed 130 children out of state, but this figure included some placements which had been initiated previous to 1978. Consequently, the only comparable information reported about the involvement of this agency in arranging out-of-state placements in 1978 is that the agency helped place two children in other states.

The Department of Education reported minimal involvement with out-of-state placements. The agency arranged and funded two such placements in 1978, and funded four placements which were locally arranged.

TABLE 17-15. KANSAS: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed During 1978, by State Agencies: Child Welfare/Juvenile Justice/Mental Health and Mental Retardation	Education
State Arranged and Funded	*	2
Locally Arranged but State Funded	0	4
Court Ordered, but State Arranged and Funded	0	0
Subtotal: Placements Involving State Funding	*	6
Locally Arranged and Funded, and Reported to State	0	0
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	2	0
Other	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	*	6

* denotes Not Available.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Because placement information was not available solely for 1978 from DSRS, destination information is also not included in Table 17-16, which shows the states to which children were sent with state agency involvement. The Department of Education was able to provide destinations for the six children reported to be placed out of Kansas in 1978 and that information appears in the table. Two-thirds of the placements were made to the border states of Oklahoma and Colorado.

TABLE 17-16. KANSAS: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed	
	Child Welfare/Juvenile Justice/ Mental Health and Mental Retardation	Education
Alabama		1
Colorado		1
Oklahoma		3
Texas		1
Placements for Which Destinations Could Not be Reported by State Agencies	All	0
Total Number of Placements	*	6

* denotes Not Available.

Similar to local agencies, state agencies were asked to describe the statuses and conditions of children placed out of state. Table 17-17 reports this information and indicates that DSRS was involved in placing children with a variety of characteristics. The only characteristics not selected by the agency to describe the children it placed out of state were truant, juvenile delinquent, pregnant, and children with drug/alcohol problems. The DOE, in contrast, reported only one condition to describe the children it reported to be out of state: physically handicapped.

TABLE 17-17. KANSAS: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]	
	Child Welfare/Juvenile Justice/ Mental Health and Mental Retardation	Education
Physically Handicapped	X	X
Mentally Handicapped	X	0
Developmentally Disabled	X	0
Unruly/Disruptive	X	0
Truants	0	0
Juvenile Delinquents	0	0
Emotionally Disturbed	X	0
Pregnant	0	0
Drug/Alcohol Problems	0	0
Battered, Abandoned, or Neglected	X	0

TABLE 17-17. (Continued)

Types of Conditions	Agency Type[a]	
	Child Welfare/Juvenile Justice/ Mental Health and Mental Retardation	Education
Adopted Children	X	0
Foster Children	X	0
Other	0	0

a. X indicates conditions reported.

The residential setting reported to be most frequently used for DSRS out-of-state placements was adoptive homes. The state education agency reported residential treatment or child care facilities to be most commonly used for its placements.

The study attempted to collect information on the expenditure of state and local agencies related to out-of-state placements. This information was not available from DSRS. The DOE could report that $27,248 in state funds was spent for placements out of Kansas in 1978, but could not report on the expenditure of federal, local, or other funds for these placements.

F. State Agencies' Knowledge of Out-of-State Placements

The following Table 17-18 reviews the out-of-state placement involvement of Kansas public agencies and each state agency's knowledge of this placement activity. Unfortunately, the DSRS's inability to report at the time of the survey on the number of out-of-state placements it was involved in during 1978 results in a lack of comparative information, even though placement involvement was reported by the local juvenile justice and mental health and mental retardation agencies. The state education agency accurately reported upon local school districts' placement activity as well as reporting its own involvement in out-of-state placements.

TABLE 17-18. KANSAS: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare/Juvenile Justice/ Mental Health and Mental Retardation	Education
Total Number of State and Local Agency Placements	*a	6
Total Number of Placements Known to State Agencies	*	6
Percentage of Placements Known to State Agencies	*	100

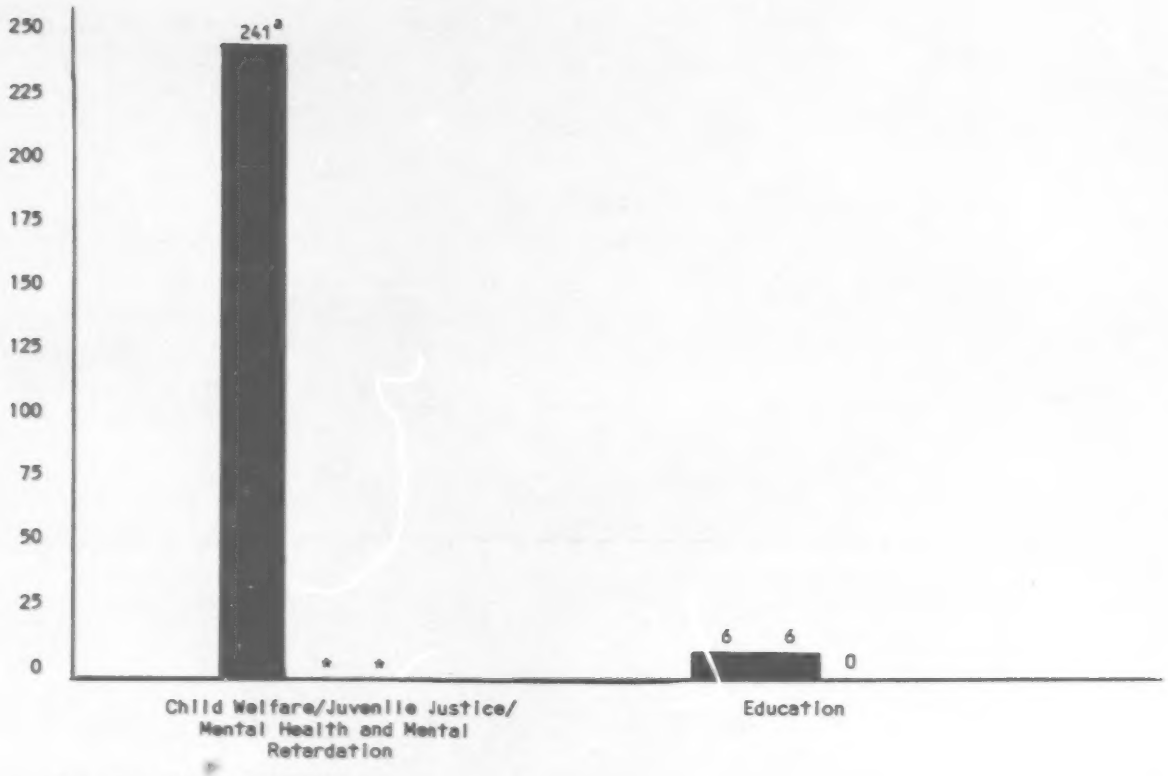
* denotes Not Available.

a. The survey of the local juvenile justice agencies identified 238 children placed out of state and the local mental health and mental retardation agencies reported sending three children out of Kansas in 1978.

Figure 17-5 illustrates Kansas state agencies' knowledge of out-of-state placement activity and, equally as important, their knowledge of interstate compact use. Again, the lack of information from DSRS causes problems in talking about state agency awareness of local agency placement practices. It should be recalled that DSRS is responsible for the admin stration of the Interstate Compact on the Placement of Children, the Interstate Compact on Juveniles, and the Interstate Compact on Mental Health.

Paralleling the information provided for local school districts, the state education agency reported no interstate compact use for the six placements in which it was involved.

FIGURE 17-5. KANSAS: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



a. The state agency responsible for child welfare, juvenile justice, and mental health and mental retardation services was not able to report its involvement in out-of-state placements.

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V. CONCLUDING REMARKS

Some conclusions may be drawn about the foregoing survey results. The following conclusions are important.

- Juvenile courts and probation agencies were the local agency types most involved in arranging out-of-state placements in 1978. This is especially true for those agencies serving the areas in and around Kansas City, Topeka, and Wichita.

- Although urban area juvenile justice agencies in Kansas reported a large number of children placed out of state in 1978, some rurally located agencies were also responsible for significant numbers of placements out of Kansas.

- Very little information was available from the DSRS about its diverse service areas' involvement in out-of-state placements in 1978. However, this agency did report a variety of children were placed outside of the state, especially to adoptive homes.

- The Kansas Department of Education was found to have effectively regulated the out-of-state placement practices of the state's local school districts in 1978. The sample of 31 school districts confirmed the four locally initiated placements reported by the DOE.

- A minimum of 46 children were placed out of state in 1978 by local agencies in Kansas without the use of any interstate compact.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Kansas in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTES

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

2. Kansas State Law 72-967.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN LOUISIANA

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Dick Day, Director, Office of Special Schools, Division of Special Education Services, Department of Education; Martha Sue Spears, Deputy Compact Administrator, Division of Evaluation and Services, Office of Human Development, Department of Health and Human Resources; Donnie Carter, Placement Director, Office of Human Development, Department of Health and Human Resources; Walter Horrell, attorney, Department of Health and Human Resources; Chet Achee, Interstate Compact Correspondent, Division of Youth Services, Office of Human Development, Department of Health and Human Resources; Georgia Bradford, former Interstate Compact Correspondent, Department of Corrections; Don R. Fuller, Director, Division of Evaluation and Services, Office of Human Development, Department of Health and Human Resources; Martha G. Forbes, Coordinator of Children's Services, Office of Mental Health and Substance Abuse, Department of Health and Human Resources; and Robert Miller, Governor's Pardon, Parole and Rehabilitation Commission.

II. METHODOLOGY

Information was systematically gathered about Louisiana from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Louisiana appears below in Table 19-1.

TABLE 19-1. LOUISIANA: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Agencies	Telephone interview Mailed Survey: DHHR officials	Telephone interview Mailed Survey: DOE officials	Telephone interview Mailed Survey: DHHR officials	Telephone interview Mailed Survey: DHHR officials	Telephone interview Mailed Survey: DHHR officials
Local Agencies[a]	Not Applicable (State Offices)	Telephone Survey: All 66 local school districts	Telephone Survey: All 110 local courts with juvenile jurisdiction	Not Applicable (State Offices)	Not Applicable (State Offices)

a. The telephone survey was conducted by Cindy Seghars, Consultant, of Mandeville, Louisiana, under a subcontract to the Academy.

The Academy also conducted an intensive on-site case study of Louisiana's out-of-state placement policies and practices at the state and local levels. The findings from this case study are included in a companion volume to this report, The Out-of-State Placement of Children: A Search for Rights, Boundaries, Services.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Louisiana has the 33rd largest land area (44,930 square miles) and is the 20th most populated state (3,803,937) in the United States. It has 62 parishes and two city-parish consolidations, Baton Rouge-East Baton Rouge and New Orleans-Orleans. It has 33 cities with populations over 10,000 and 12 cities with populations over 25,000. New Orleans is the most populated city in the state, with a population of nearly 560,000. Baton Rouge (Metro Area), the capital, is the second most populated city in the state. The estimated 1978 populations of persons eight to 17 years old was 750,747.

Louisiana has seven Standard Metropolitan Statistical Areas (SMSAs): Alexandria, Baton Rouge, Lafayette, Lake Charles, Monroe, New Orleans, and Shreveport. Its border states are Texas, Arkansas, and Mississippi.

Louisiana was ranked 25th nationally in total state and local per capita expenditures, 40th in per capita expenditures for education, and 28th in per capita expenditures for public welfare.[1]

B. Child Welfare

Child welfare services for children and youth are administered by the Department of Health and Human Resources (DHHR) through branch offices located in almost every parish and under the supervision of eight regional offices. The primary state agency for social services is the Office of Human Development (OHD) which handles child welfare programs and administers the interstate placement programs for dependent,

neglected, emotionally disturbed, and abused children for the state. This office was established in 1978 as part of DHHR reorganization efforts focused on the orders of the Gary W. court decision (see Recent Developments) and authorized by legislative Act 786. OHD contains four service divisions: the Divisions of Evaluation and Services, of Blind Services, of Youth Services, and of Rehabilitative Services. These divisions offer services from the DHHR regional and parish branch offices (and in the case of the Division of Blind Services, from special facilities).

The Division of Evaluation and Services (DES) is a large OHD service unit which provides services to neglected, abused, and dependent children. Foster and adoptive care are arranged and supervised through this division. The DES has the sole responsibility and authority for the placement of children served by all the DHHR divisions. In addition, institutional and residential placements must be approved by OHD. The DES administers nine regional review committees, initiated in July 1979, which evaluate placement decisions by all DHHR personnel and local school districts. There is one regional review committee for each DHHR administrative region, except the New Orleans area which is serviced by two committees because of its large population. The committees are composed of professional-level staff from the DHHR's Office of Mental Health and Substance Abuse, Office of Mental Retardation, Office of Health and Environmental Quality, Office of Family Security, and each division of OHD. Representatives from the Department of Education are also requested to participate in the activities of these committees. A medical consultant is also contracted for service.

A DES subdivision, Client Services and Placement, provides protective services for children with a focus on in-home family training. However, DES does operate and contract for out-of-home substitute care when the need is perceived. Group homes are made available by DES for mild and moderate emotionally disturbed clients, court-committed youths, and mentally retarded children as well.

The Interstate Compact on the Placement of Children (ICPC) is administratively housed in the OHD Division of Evaluation and Services. Louisiana has been a member of the ICPC since 1968.

C. Education

The Louisiana Department of Education (DOE) supervises the entire Louisiana public school system, overseeing 66 locally operated parish or city school districts. The State Board of Elementary and Secondary Education operates schools for the blind and the deaf. The department has also established a Special School District #1 whereby children in state institutions (with the exception of those operated by the Department of Corrections) are provided with diversified educational services. This special school district, operated by the Office of Special Schools, has the same responsibilities and funding eligibilities as any of the local school districts in Louisiana. It does hold a number of administrative responsibilities, however, over the local parish and city districts.

The DOE's Division of Special Education Services (DSES) is authorized to implement state and federal laws pertaining to special education of the handicapped. Through Special School District #1, this division provides special education services to children in the Louisiana state institutions for the mentally retarded, emotionally disturbed, and physically handicapped. Local school districts are offered program development and technical assistance from the DSES in order to identify and meet the needs of their handicapped students.

Local school districts in Louisiana have strong regulatory ties to the DOE. It was reported that more than 80 percent of a local district's budget is funded by state money. The Minimum Foundation Program, controlled by the state legislature and the State Board of Elementary and Secondary Education, is a state funding formula based on a school personnel/student ratio. The number of teachers allotted and employed by a school is determined by first reporting period enrollment, with handicapped pupils having a higher teacher ratio allotment. A school district is then funded on a per teacher basis.

Special education placements are initiated by the local district solely on a referral basis. The DOE has not, until recently, administered programs to place Louisiana children in other states. The school districts have traditionally worked through the DHHR's Office of Human Development to facilitate such placements. However, it was reported that a recent Louisiana law now requires the school districts to obtain DOE approval for out-of-state placements when the state lacks facilities to educate all children within its own borders. DHHR then makes the actual placement. It was also reported that the DOE could not report on the number of children placed out of state during 1978 by local districts.

D. Juvenile Justice

The OHD's Division of Youth Services (DYS) has consolidated authority over juvenile justice services operated by the state, with two exceptions: The operation of state juvenile training centers is carried out by the Department of Corrections, and probation services are locally operated in seven parishes (Caddo, Calcasieu, East Baton Rouge, Jefferson, Lafayette, Monroe, and Rapids Parish). Orleans parish has recently turned over this service responsibility to the DYS.

A complex court system with juvenile jurisdiction operates in Louisiana. There are four juvenile or family courts, 38 judicial districts with 60 of the 65 locations hearing juvenile matters in the parishes, 3 parish courts, and 46 city or municipal courts which can hear cases regarding dependency, neglect, and delinquency of youth. The Louisiana Code of Procedure outlines a pyramid of jurisdiction, with the family or juvenile courts of Caddo, Jefferson, Orleans, and East Baton Rouge Parishes having exclusive jurisdiction over the district, parish or municipal courts. Similarly, district or parish courts are deemed to hold jurisdiction over a coexisting municipal court. DYS provides both probation and aftercare (parole) services for nearly all of these courts through regionally located field services offices. DYS offers intake or complaint screening services to all the courts and is directly involved in this practice in 55 of them on a full-time basis. The DYS Community Services unit is responsible for this service, aiding 48 additional courts on a part-time basis. CHINS (Children in Need of Supervision) are also provided services through this program area of DYS.

The Community Services unit of DYS also houses the Interstate Compact on Juveniles (ICJ). This compact has been administered in Louisiana since 1958.

Until January 1979, the DYS was responsible for contracting with private providers for community-based residential care of court-committed youth (both delinquents and CHINS). Since that time, the OHD's, Division of Evaluation and Services has taken over that responsibility. Neither the DYS nor the seven local probation units operate residential units for youth any longer.

The Louisiana Department of Corrections (DOC) plays a limited role in the state juvenile system. The DOC's Division of Juvenile Services (DJS) has as its major responsibility the operation of four local training institutes (LTI) in Rapides, Ouachita, and East Baton Rouge Parishes, and the greater New Orleans area. A juvenile reception and diagnostic center is also located on the East Baton Rouge LTI premises.

The Louisiana courts with juvenile jurisdiction may commit an adjudicated delinquent to the DOC. CHINS may not be committed to the department. The Division of Juvenile Services' staff at the reception and diagnostic center assigns the youth to the LTI it feels is most appropriate for the "reformation" of the child. If a special placement is considered necessary, court approval to commit the youth to DHHR is sought. The DJS has no special placement funds.

E. Mental Health

The primary state agencies for mental health services in Louisiana are the DHHR's Office of Mental Health and Substance Abuse (MHSA) and the Office of Human Development (OHD). The MHSA supervises 36 community mental health centers operated by the state, as well as a number of clinics, out-reach programs, and substance abuse centers. Reportedly, the MHSA only has funds for in-state services. However, out-of-state placements are made by referral to the OHD. The OHD must approve all requests for placement made by the 36 community mental health centers and maintains statewide information on all mental health placements. The OMHSA administers the ICMH which Louisiana joined in 1958.

F. Mental Retardation

The primary agency responsible for mental retardation services in Louisiana is the DHHR's Office of Mental Retardation. This office operates eight residential facilities for all ages and levels of functioning. Four of these facilities are focused on early return to the community while two are reserved for more long-term care. Because of the strong role in all children's services taken by the DHHR's Office of Human Development, the Office of Mental Retardation has little contact with mentally retarded children except in the operation of the state facilities. Since the Office of Mental Retardation only has funds for the provision of in-state services, all out-of-state placements from this service area would occur through OHD, by referral.

G. Recent Developments

It has been reported that the number of children placed out of state in Louisiana has been reduced significantly because of the Gary W. case. The State of Louisiana was the defendant in the case, a class action, comprised of Louisiana youths who had been placed in Texas institutions by state officials and with state funds. The plaintiffs contended that the Texas placements deprived them of their constitutional right to adequate treatment. The court decision resulted in the removal of all Louisiana youths from Texas institutions.

A Louisiana law passed subsequent to the Gary W. decision requires the DHHR to review and approve all out-of-home placements to residential treatment settings, including group homes and child care institutions. Placement in or out of Louisiana for adoption, foster family care, or with relatives are not subject to this review.

The Gary W. case and the legislation and atmosphere which followed have reportedly reduced the ease with which children can be placed out of Louisiana, and fewer children are said to be leaving the state as a result.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

In this section of the Louisiana profile, the results of the survey are presented in tables along with some explanatory remarks about the findings.

A. The Number of Children Placed in Out-of-State Residential Settings

A summary of the number of out-of-state placements is first presented in Table 19-2 to convey some idea about the extent of this activity in the state before proceeding to more detailed findings.

There are a few important points to be made about Table 19-2 which will aid accurate interpretation. Because of the effects of the Gary W. decision, all residential and institutional placements by any division of DHHR, after approval by the DES, must be reported to OHD which must sign off on these placements, regardless of their point of origin within the department. The data reported by this office is reflected under the first column in the table, which has a multiservice label. Noninstitutional placements to foster family care, adoptive homes, or to relatives by DHHR service divisions are reported under their respective specific service columns.

The Department of Education is not formally subject to these authorization procedures, so it appears independent of the DHHR subunits shown in the first column.

Table 19-2 indicates that the bulk of out-of-state placement activity occurs within the DHHR unit responsible for child protection and adoption services (Division of Evaluation and Services), where approximately 440 children were processed out of Louisiana in 1978. The Division of Youth Services was unable to separate placements to parents out of their overall placement figures so that information is designated as not available. This division originally reported placing 77 children out of Louisiana, including with parents.

Only five institutional out-of-state placements were reported for all DHHR divisions, and the Department of Education reported no out-of-state placements for 1978.

Locally, juvenile courts (including all courts with juvenile jurisdiction such as district courts, parish courts, municipal courts, and family courts) are the area of greatest placement activity, reporting a total of 24 children placed out of Louisiana in 1978. Finally, the survey of local school districts detected only two children being sent to other states for residential services.

TABLE 19-2. LOUISIANA: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare/Juvenile Justice/Mental Health and Mental Retardation	Child Welfare	Education	Juvenile Justice	Total
State Agency Placements[a]	5	440	0	*	445
Local Agency Placements	--[b]	--	2	24	26
Total	5	440	2	24	471

* denotes Not Available.
-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 19-11 for specific information regarding state agency involvement in arranging out-of-state placements.

b. Local juvenile justice agency responses are displayed in a separate column of this table.

Table 19-3 further focuses on the activity of local agencies by presenting the number of children sent out of Louisiana by each local agency type in each jurisdiction.

Except for the 12 out-of-state placements reported by the Baton Rouge Family Court in East Baton Rouge Parish, out-of-state placements by courts occur in small numbers throughout the state from both urban and rural areas.

Nearly one-fourth of all locally reported placements came from border parishes, and the two children placed out of state by school districts came from an SMSA parish and from a border parish.

TABLE 19-3. LOUISIANA: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Acadia	11,343	0	2 est
Allen	4,233	0	0
Ascension	9,435	0	0
Assumption	4,795	0	0
Avoyelles	8,008	0	*
Beauregard	4,947	0	0
Bienville	3,202	0	1
Bossier	14,274	0	0
Caddo	44,443	0	0
Calcasieu	30,661	0	0

TABLE 19-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Caldwell	1,871	0	0
Cameron	1,998	0	0
Catahoula	2,328	0	0
Claiborne	3,040	0	0
Concordia	4,700	0	0
De Soto	4,212	0	0
East Baton Rouge	57,589	0	12
East Carroll	3,078	1	0
East Feliciana	2,913	0	0
Evangeline	7,104	0	0
Franklin	4,977	0	0
Grant	2,841	0	0
Iberia	13,848	0	0
Iberville	6,707	0	0
Jackson	2,867	0	0
Jefferson	79,337	0	0
Jefferson Davis	6,308	0	0
Lafayette	25,607	1	3 est
Lafourche	16,511	0	0
La Salle	2,608	0	0
Lincoln	5,365	0	0
Livingston	9,114	0	0
Madison	3,228	0	0
Morehouse	6,664	0	0
Natchitoches	6,377	0	1
Orleans	98,295	0	0
Ouachita	23,483	0	0
Plaquemines	5,463	0	0
Pointe Coupee	4,885	0	0
Rapides	23,520	0	0
Red River	1,669	0	0
Richland	4,497	0	0
Sabine	3,746	0	4
St. Bernard	11,408	0	0
St. Charles	7,384	0	0
St. Helena	2,312	0	0
St. James	4,704	0	0
St. John the Baptist	6,185	0	0
St. Landry	18,064	0	0
St. Martin	7,959	0	0
St. Mary	14,013	0	0
St. Tammany	16,628	0	0
Tangipahoa	14,758	0	0
Tensas	1,815	0	0
Terrebonne	18,837	0	0
Union	3,521	0	0
Vermillion	9,391	0	0
Vernon	6,051	0	1
Washington	8,292	0	*
Webster	6,918	0	*

TABLE 19-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
West Baton Rouge	4,026	0	0
West Carroll	2,449	0	0
West Feliciana	989	0	0
Winn	2,952	0	0
Total Number of Placements Arranged By Local Agencies (total may include duplicate count)		2	24 est
Total Number of Local Agencies Reporting		66	110

* denotes Not Available.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

The involvement of locally operated agencies in out-of-state placement is summarized in Table 19-4. The data confirms the earlier-mentioned finding that local agencies are not involved in placing children out of Louisiana to a great extent. Only three percent of the school districts and six percent of the juvenile courts report involvement in sending children to other states. Four courts could not verify if children were sent out of Louisiana or knew that some children were sent but did not know how many children were placed.

TABLE 19-4. LOUISIANA: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type	
	Education	Juvenile Justice
Agencies Which Reported Out-of-State Placements	2	7
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0	4
Agencies Which Did Not Place Out of State	64	99
Agencies Which Did Not Participate in the Survey	0	0
Total Local Agencies	66	110

All local agencies which did not place any children out of state were asked to give reasons why no such placements were made and they are summarized in Table 19-5. Over 70 percent of nonplacing school districts said that there were services sufficient in Louisiana to preclude the need to go to other states. Juvenile courts, however, did not show as much uniformity in their responses.

Between approximately 60 and 70 percent of all nonplacing courts said that they lacked funds, that sufficient services were available in the state, and that there were other reasons for not sending children out of Louisiana. Over 85 percent of the "other" reasons for not making out-of-state placements was because it is against the policy of the court.

TABLE 19-5. LOUISIANA: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)	
	Education	Juvenile Justice
Lacked Statutory Authority	12	1
Restricted[b]	6	8
Lacked Funds	11	58
Sufficient Services Available in State	47	63
Other[c]	19	69
Number of Agencies Reporting No Out-of-State Placements	64	99
Total Number of Agencies Represented in Survey	66	110

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive to family visitations because of distance.

The extent to which other public agencies were involved in out-of-state placements with the reporting local agencies is reflected in Table 19-6. Both placements by school districts involved interagency cooperation and a majority of placing courts also reported the involvement of other public agencies in their out-of-state placement activities. However, when attention is shifted from children subject to this cooperation from the number of courts reporting its occurrence, it can be seen that only 25 percent of the cases placed by the courts involved other agencies.

TABLE 19-6. LOUISIANA: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type			
	Education		Juvenile Justice	
	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	2	3	7	6
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	2	100	5	71
Number of CHILDREN Placed Out of State	2	100	24	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	2	100	6	25

a. See Table 19-4.

Local agencies placing children out of state were also asked to describe the conditions or statuses of the children. Table 19-7 indicates that school districts placed children who were mentally ill/emotionally disturbed and who were mentally retarded or developmentally disabled.

Most courts reported placing juvenile delinquents out of state. Two also indicated placing battered, abandoned, or neglected children and those with substance abuse problems into other states for care.

TABLE 19-7. LOUISIANA: CONDITIONS OF CHILDREN PLACED OUT-OF-STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Physically Handicapped	0	0
Mentally Retarded or Developmentally Disabled	1	0
Unruly/Disruptive	0	0
Truant	0	0
Juvenile Delinquent	0	6
Mentally Ill/Emotionally Disturbed	1	0
Pregnant	0	0
Drug/Alcohol Problems	0	1
Battered, Abandoned, or Neglected	0	1
Adopted	0	0

TABLE 19-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Special Education Needs	0	0
Multiple Handicaps	0	0
Other	0	0
Number of Agencies Reporting	2	7

a. Some agencies reported more than one type of condition.

C. Detailed Data From Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Louisiana's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

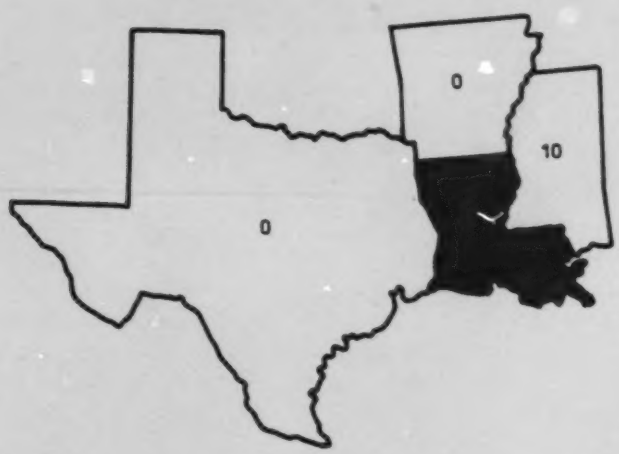
The relationship between the number of local Louisiana agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 19-1. Only one of the seven placing juvenile justice agencies falls into the Phase II category, but that single agency was responsible for one-half of all the placements reported by the local agencies. As stated earlier in this profile, this agency serves East Baton Rouge Parish.

FIGURE 19-1. LOUISIANA: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Juvenile Justice
Number of AGENCIES	110
Number of AGENCIES Reporting Out-of-State Placements in 1978	7
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	1
Number of CHILDREN Placed Out of State in 1978	24
Number of CHILDREN Placed by Phase II Agencies	12
Percentage of Reported Placements in Phase II	50

This single Phase II agency was asked to report the states or foreign countries to which the 12 children were sent. Personnel there reported that ten of the 12 children placed went to Mississippi, a state contiguous to Louisiana as shown in Figure 19-2, and the remaining children went to Florida and Missouri.

FIGURE 19-2. LOUISIANA: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO LOUISIANA BY LOCAL PHASE II AGENCIES[a]



a. The one local Phase II juvenile justice agency reported destinations for 12 children.

The single Phase II court was also asked to describe the reasons for making these placements. The court responded by indicating that it had experienced previous success with out-of-state facilities, that out-of-state placement is used as an alternative to in-state public institutionalization, and that Louisiana lacked services comparable to other states. This court also reported that group home placements were most frequently used for the children placed out of state and that irregular phone calls and visits were made to monitor children's progress while out of state.

This juvenile justice agency placing more than four children out of state reported a total expenditure of $500 in 1978 for out-of-state placements.

D. Use of Interstate Compacts by State and Local Agencies

The survey of local agencies in Louisiana also determined the extent to which interstate compacts were utilized to arrange out-of-state placements. A review of Table 19-8 indicates that three of the nine agencies which placed children out of state in 1978 reported that none of their placements were arranged through an interstate compact. Two of these were school districts which reported making out-of-state placements in that year. Six local juvenile justice agencies reported the use of a compact for at least a portion of the placements, but the one Phase II agency reported no compact use.

TABLE 19-8. LOUISIANA: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES	
	Education	Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	2	6
• Number Using Compacts	0	6

TABLE 19-8. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES	
	Education	Juvenile Justice
• Number Not Using Compacts	2	0
• Number with Compact Use Unknown	0	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	0	1
• Number Using Compacts	--	0
Interstate Compact on the Placement of Children		
Yes	--	0
No	--	1
Don't Know	--	0
Interstate Compact on Juveniles		
Yes	--	0
No	--	1
Don't Know	--	0
Interstate Compact on Mental Health		
Yes	--	0
No	--	1
Don't Know	--	0
• Number Not Using Compacts	--	1
• Number with Compact Use Unknown	--	0
TOTALS		
Number of AGENCIES Placing Children Out of State	2	7
Number of AGENCIES Using Compacts	0	6
Number of AGENCIES Not Using Compacts	2	1
Number of AGENCIES with Compact Use Unknown	0	0

-- denotes Not Applicable.

Further knowledge concerning the utilization of interstate compacts by these juvenile justice agencies is acquired through consideration of the information given in Table 19-9. This table indicates the number of children who were or were not placed out of state with a compact. An examination of the juvenile justice information shows that a total of six children (25 percent) were placed in out-of-state residential care in 1978 with the use of a compact. The Phase II agency responsible for one-half of all juvenile justice placements, did not arrange 12 placements utilizing a compact. The compact use for the remaining six children's placements was not determined.

TABLE 19-9. LOUISIANA: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN	
	Education	Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	2	12
• Number Placed with Compact Use	0	6
• Number Placed without Compact Use	2	0
• Number Placed with Compact Use Unknown[a]	0	6
CHILDREN PLACED BY PHASE II AGENCIES	0	12
• Number Placed with Compact Use	--	0
Number through Interstate Compact on the Placement of Children	--	0
Number through Interstate Compact on Juveniles	--	0
Number through Interstate Compact on Mental Health	--	0
• Number Placed without Compact Use	--	12
• Number Placed with Compact Use Unknown	--	0
TOTALS		
Number of CHILDREN Placed Out of State	2	24
Number of CHILDREN Placed with Compact Use	0	6
Number of CHILDREN Placed without Compact Use	2	12
Number of CHILDREN Placed with Compact Use Unknown	0	6

-- denotes Not Applicable.

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

Table 19-10 reflects the full interstate compact utilization by the special office in DHHR responsible for institutional placement approval (Office of Human Development) and by the child welfare unit of DHHR (Division of Evaluation and Services) offering foster, protective, and adoptive services and placing into noninstitutional out-of-state settings. The juvenile justice unit of DHHR (Division of Youth Services) could not report the number of children it had helped to place out of state or the number

of children the local courts or itself had placed out of Louisiana with compact use. Finally, the Department of Education reported that an interstate compact was not used in the arrangement of either local school district placement, repeating the local survey report.

TABLE 19-10. LOUISIANA: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare/Juvenile Justice/Mental Health and Mental Retardation	Child Welfare	Education	Juvenile Justice
Total Number of State and Local Agency-Arranged Placements	5	440	2	*a
Total Number of Compact-Arranged Placements Reported by State Agencies	5	440	0	*
Percentage of Compact-Arranged Placements	100	100	0	*

* denotes Not Available.

a. Local juvenile justice agencies reported arranging 24 out-of-state placements in 1978.

E. The Out-of-State Placement Practices of State Agencies

The ability of state agencies to report their involvement in arranging and funding out-of-state placements, and the number of children reported by category of involvement appear in Table 19-11. The DHHR's Division of Evaluation and Services estimated that it placed 440 children out of Louisiana but could not break this figure down into categories of involvement.

In another way, the Department of Education could not report the number of locally arranged and funded placements by school districts, but it could report that a total of six education placements left the state without reference to the involvement of the state agency.

As previously mentioned, data for the Division of Youth Services is designated as unavailable because the agency could not separate placements with parents from placements to other settings.

TABLE 19-11. LOUISIANA: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare/Juvenile Justice/Mental Health and Mental Retardation	Child Welfare	Education	Juvenile Justice
State Arranged and Funded	5	*	0	*
Locally Arranged but State Funded	0	--	0	0
Court Ordered, but State Arranged and Funded	0	*	0	0
Subtotal: Placements Involving State Funding	5	*	0	*
Locally Arranged and Funded, and Reported to State	0	--	*	0
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	0	0	0	0
Other	0	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	5	440	6	*

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

State agencies were also asked to report the state of destination of children leaving Louisiana. The results of these inquiries are included in Table 19-12. The DHHR's Divisions of Evaluation and Services, and Youth Services did not provide this information.

Partial information was available from the Department of Education which sent children to Connecticut, Florida, and New Mexico. Complete information was available from the DHHR's Office of Human Development which approves institutional placements. This office reported sending one child to Florida, one to Kansas, and three to Texas.

TABLE 19-12. LOUISIANA: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed			
	Child Welfare/Juvenile Justice/Mental Health and Mental Retardation	Child Welfare	Education	Juvenile Justice
Connecticut	0		1	
Florida	1		1	
Kansas	1			
New Mexico	0		1	
Texas	3			
Placements for Which Destinations Could Not be Reported by State Agencies	0	All	3	All
Total Number of Placements	5	440	6	*

* denotes Not Available.

The conditions and statuses of children reported placed out of Louisiana by state agencies are summarized in Table 19-13. Children reported by the Office of Human Development fall within the typically "hard to place" categories. These include physically and mentally handicapped children as well as those who are developmentally disabled and emotionally disturbed. The Division of Evaluation and Services also placed children who were emotionally disturbed, as well as battered, abandoned, or neglected, adoptive, and foster children.

The Department of Education reported that the children it had knowledge of leaving Louisiana were emotionally disturbed as well as having other problems, including learning disabilities. The Division of Youth Services within DHHR placed only juvenile delinquents out of state.

TABLE 19-13. LOUISIANA: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]			
	Child Welfare/Juvenile Justice/Mental Health and Mental Retardation	Child Welfare	Education	Juvenile Justice
Physically Handicapped	X	0	0	0
Mentally Handicapped	X	0	0	0
Developmentally Disabled	X	0	0	0
Unruly/Disruptive	0	0	0	0
Truants	0	0	0	0
Juvenile Delinquents	0	0	0	X
Emotionally Disturbed	X	X	X	0
Pregnant	0	0	0	0

TABLE 19-13. (Continued)

Types of Conditions	Agency Type[a]			
	Child Welfare/Juvenile Justice/Mental Health and Mental Retardation	Child Welfare	Education	Juvenile Justice
Drug/Alcohol Problems	0	0	0	0
Battered, Abandoned, or Neglected	0	X	0	0
Adopted Children	0	X	0	0
Foster Children	0	X	0	0
Other	0	0	X	0

a. X indicates conditions reported.

State agencies were asked to identify the type of residential setting used for the placements they had made out of state. The Office of Human Development reported that residential treatment child care facilities were most frequently used for placement out of Louisiana, and the Department of Evaluation and Services said the most frequently used setting for out-of-state placements was the homes of relatives. This information was not available from the Division of Youth Services.

Cost information was also requested of state agencies and the Office of Human Development was the only state-level agency able to provide complete information in this area. It reported the expenditure of $60,000 in state funds for institutional placements out of Louisiana in 1978.

The Division of Evaluation and Services could not report on the expenditure of state or federal funds, but did say that local or other sources of revenue were not used for out-of-state placement. The Division of Youth Services' fiscal information was unavailable.

The Department of Education ruled out the use of federal and local sources of funds for out-of-state placement, but could not report how much state monies were used for this purpose.

F. State Agencies' Knowledge of Out-of-State Placements

Services for children are primarily operated by state government in Louisiana and Table 19-14 reflects, in final review, those agencies' overall knowledge of out-of-state placement activity within the state. The DHHR's Office of Human Development (responsible for final approval of all out-of-state institutional placements) and its Division of Evaluation and Services (responsible for child welfare) were able to fully report on their 1978 placement activities. Similarly, the Department of Education reported more than the two out-of-state placements arranged by local school districts possibly having included placements arranged before 1978 and which was still funded in the reporting year. The juvenile justice agency within DHHR, the Division of Youth Services, could not report its own out-of-state placement activity, as reflected in Table 19-11, and reported no placements occurring from the local courts.

TABLE 19-14. LOUISIANA: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare/Juvenile Justice/Mental Health and Mental Retardtion	Child Welfare	Education	Juvenile Justice
Total Number of State and Local Agency Placements	5	440	2	*a
Total Number of Placements Known to State Agencies	5	440	6	*
Percentage of Placements Known to State Agencies	100	100	100	*

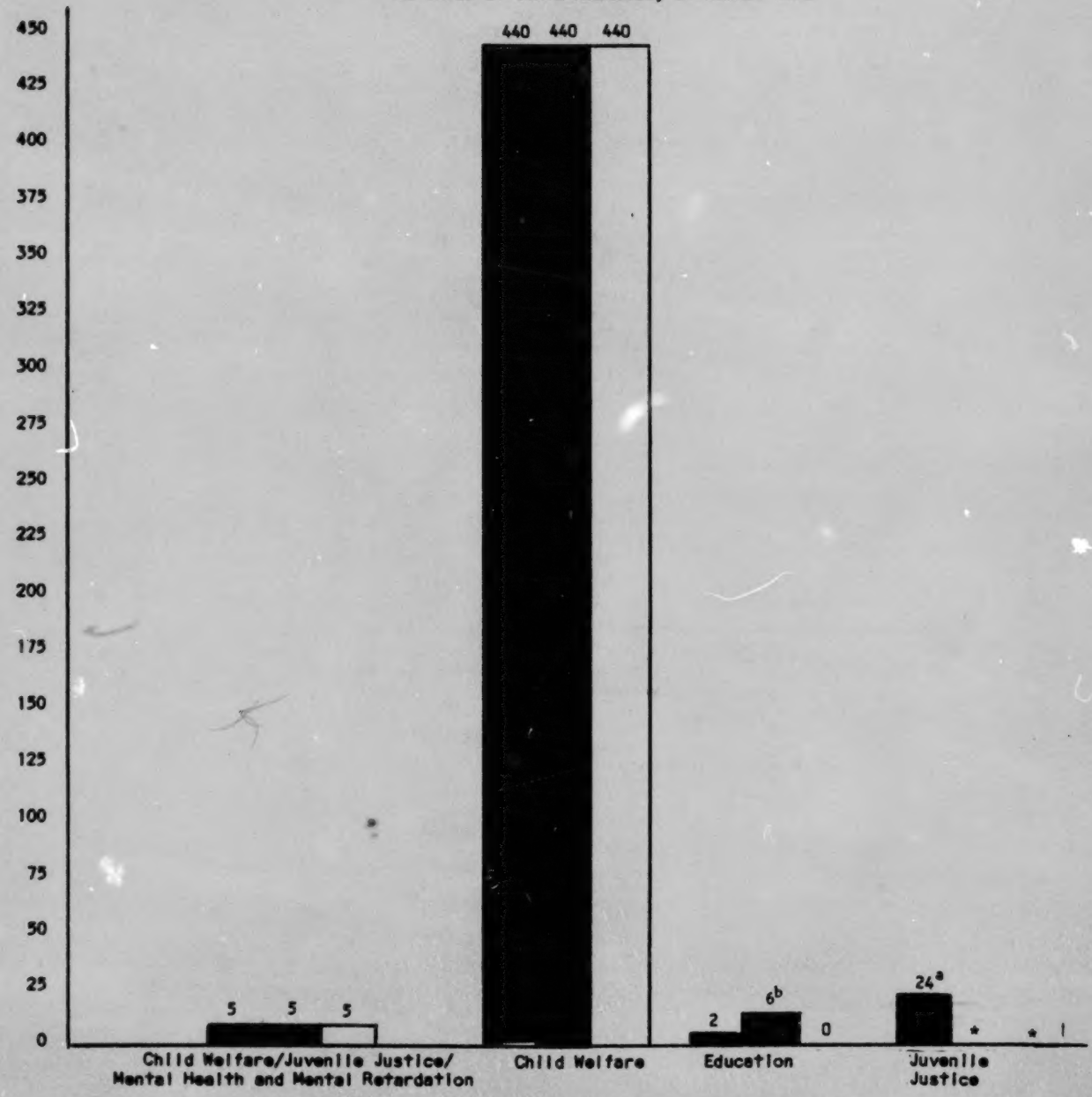
* denotes Not Available.

a. Local juvenile justice agencies reported arranging 24 out-of-state placements in 1978.

b. The state education agency attributed more out-of-state placements to local school districts than were identified in the local survey.

Figure 19-3 illustrates the state agencies' knowledge of out-of-state placement activity. Because state agencies are responsible for interstate compact administration (and in the case of Louisiana, for compliance with the Gary W. decision) this figure provides information of great interest to this study. The DHHR's Office of Human Development and the Division of Evaluation and Services both show total agency knowledge and full interstate compact utilization. The Department of Education reported knowledge of more local school district placements than were determined to exist in 1978 but accurately reported no compact use. The out-of-state placements made by local courts were not reported by the Division of Youth Services and compact utilization was not available from the agency, although it does administer the Interstate Compact on Juveniles.

FIGURE 19-3. LOUISIANA: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



* denotes Not Available.

State and Local Placements

State and Local Placements Known to State Agencies

State and Local Compact-Arranged Placements Reported by State Agencies

a. Local juvenile justice agencies reported arranging 24 out-of-state placements in 1978.

b. The state education agency attributed more out-of-state placements to local school districts than were identified in the local survey.

V. CONCLUDING REMARKS

There are a few major trends in the foregoing presentation of findings which warrant mention.

- Out-of-state placement of children is primarily a responsibility of state government in Louisiana, particularly of one state agency, the Department of Health and Human Resources (DHHR).

- The primary impact of the Gary W. case appears to be that the movement of the "hard to place" child to an institutional setting is well regulated and documented, while the movement of children with less severe service needs to environments not so restrictive is similar to what may be found in other states.

- Local courts are the point of departure from Louisiana at that level of government, and the few courts that place children tend to work alone in sending juvenile delinquents to other states without compact utilization.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Louisiana in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTES

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN MISSISSIPPI

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Walter Moore, Assistant Director, Division of Instruction, Department of Education; Ann Pullman, Program Development Specialist, Division of Social Services, Department of Public Welfare; A. G. Anderson, Director, Division of Mental Health, Department of Mental Health; Paul Cotton, Division of Mental Retardation, Department of Mental Health; Herman White, Program Supervisor, Special Education Section, Department of Education; and Walter Wood, Director of Community Services Division, Department of Youth Services.

II. METHODOLOGY

Information was systematically gathered about Mississippi from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Mississippi appears below in Table 25-1.

TABLE 25-1. MISSISSIPPI: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Agencies	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview
	Mailed Survey: DPW officials	Mailed Survey: DOE officials	Mailed Survey: DYS officials	Mailed Survey: DMH officials	Mailed Survey: DMH officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: 10 percent sample of all 152 school districts to verify state information[a]	Not Applicable (State Offices)	Telephone Survey: All 15 local mental health centers	Not Applicable (State Offices)

a. Information attributed in this profile to the state's school districts was gathered from the state education agency and the ten percent sample.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Mississippi has the 31st largest land area (47,296 square miles) and is the 29th most populated state (2,342,392) in the United States. It has 26 cities with populations over 10,000 and seven cities with populations over 30,000. Jackson, the capital, is the most populated city in the state with a population over 166,000. It has 82 counties. The estimated 1978 population of persons eight to 17 years old was 458,631.

Mississippi contains three Standard Metropolitan Statistical Areas (SMSAs): Pascagoula-Moss Point, Jackson, and Biloxi-Gulfport. DeSoto County, in the northern-most part of the state, is included in the Memphis, Tennessee, SMSA. Mississippi's border states are Arkansas, Louisiana, Tennessee, and Alabama.

Mississippi was ranked 41st nationally in total state and local per capita expenditures, 40th in per capita public welfare expenditures, and 47th in per capita expenditures for education.

B. Child Welfare

Child welfare services in Mississippi are delivered by the Department of Public Welfare's (DPW) Division of Social Services through 82 branch offices which are located in each of the state's counties. The DPW also maintains two regional and 11 field offices as supervising units over the branch offices.

Both the Interstate Compact on the Placement of Children (ICPC) and the Interstate Compact on Juveniles (ICJ) were administered by the Division of Social Services' compact office at the time of this study. However, the compact office reported only keeping records of ICPC arranged placements, leaving ICJ record keeping as a Department of Youth Services responsibility. Mississippi has been a member of the ICJ since 1958. The state joined the ICPC in 1976.

C. Education

The Special Education Section within the Department of Education (DOE) has program responsibilities and funding recommendation responsibilities for handicapped children in Mississippi. The 152 local school districts have responsibilities for providing education for the handicapped in addition to the normal curriculum K-12. The state must approve all educational alternative placements, both in state and out of state, if state or local funds are to be used for placement, before the 152 county consolidated and separate school districts can send handicapped children out of state. It was reported that since the state and federal government fund most of the local school districts' out-of-state placements, it is unlikely that the local districts would place children out of state without reporting this information to the DOE.

D. Juvenile Justice

Juvenile justice jurisdiction in Mississippi is the responsibility of county courts, chancery courts, or family courts. In 16 counties, local county courts establish juvenile courts as divisions of the court. In the remaining counties, except for Harrison, juvenile courts are a part of the chancery court state system. Family courts, with the exclusive original jurisdiction over delinquent and neglected children, may be established in counties with populations exceeding 100,000. Only Harrison County presently has a family court.

Adjudicated delinquents are committed to the Mississippi Department of Youth Services (DYS), which operates a comprehensive program, including statewide probation and parole services and detention. The DYS's Division of Juvenile Institutions manages two training schools and a camp, plus several community-based alternative homes. The Community Services Division, also housed in DYS, is responsible for probation, parole, and aftercare. Services include counseling and supervised group homes. The division maintains regional offices and has staff personnel within each court.

E. Mental Health

The Department of Mental Health (DMH) is the agency at the state level responsible for children's mental health services in Mississippi. The Division of Mental Health within DMH supports children's mental health services by contributing to the annual mental health program plan which contains children's mental health service provisions. Although the division also administers two state hospitals, these efforts do not impinge on children's mental health needs because persons under the age of 16 are not admitted to these facilities except under rare and extreme circumstances. In lieu of providing a wide range of children's services, the Mental Health Division and the Community Services Division of DMH provide technical assistance and program support to 16 community mental health centers.

The community mental health centers are operated under a catchment area system based on population and their service areas range from part of one county to ten counties. The centers' operation are administered by regional commissioners who are, or who are appointed, members of the board of supervisors of the counties included in a particular region or catchment area. The operation of the mental health centers was, until very recently, supported almost entirely by local and federal funds and very little by state funds. The state started contributing funding to the centers in 1978. The Department of Public Welfare was reported to work very closely with local mental health centers, providing placement services and funding for residential care in and out of Mississippi, and contributing nearly $2 million to the operations of mental health centers between July 1979 and June 1980.

Services offered locally include day care, partial hospitalization, and individual, group, and family counseling. Although there are no state or local mental health funds available for out-of-state residential care, the mental health centers were described to place children out of Mississippi when other sources of funding, either public or private, were available.

With a few expections, all mental health regions have direct mental health services provided by their mental health centers. The mental health center serving Benton, Chickasaw, Itawamba, Lee, Monroe, Pontotoc, and Union Counties contracts for mental health services, having direct responsibility only for alcohol, drug abuse, and mental retardation services. The region which serves parts of the city of Jackson and Hinds County, and all of Copiah County, does not have its own mental health center. Instead, it relies upon services provided by the regional mental health center created for the remainder of Hinds County and the city of Jackson.

Mississippi is not a member of the Interstate Compact on Mental Health.

F. Mental Retardation

The Department of Mental Health is also responsible for mental retardation services at the state level. The Division of Mental Retardation functions much the same as the Division of Mental Health, administering five mental retardation facilities whose service thrust is geared more toward adults. Also similar to the Division of Mental Health is the fact that it does not have an office explicitly set up to provide, supervise, or otherwise address children's services.

The local mental health centers also provide mental retardation services at their discretion and, although a continuum of services is available among the centers for retarded individuals, few if any of the individual centers could be described as providing a complete spectrum of mental retardation services. Among the services which can be found for the retarded at the local level are evaluation, parent and child counseling, preschool centers, work activities, group home residential care, case management, and staff development training for local education officials.

The Division of Mental Retardation does not allocate funds for out-of-state placements and, in general, provides technical assistance to the independently operated centers in cooperation with the Community Services Division of DMH. Any placements of mentally retarded children out of Mississippi would have to be arranged in a similar fashion to that described in the preceding section on mental health services. This would involve the DPW or other public or private funding sources.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The results of the survey of state and local public agencies in Mississippi are included in this section of the profile, along with some descriptive remarks about the findings. The data has been collected and organized so as to address the major issues relevant to the out-of-state placement of children which were identified in Chapter 1.

A. The Number of Children Placed in Out-of-State Residential Settings

Before proceeding to the specific findings about policies and practices in Mississippi, a summary of the out-of-state placement activity among state and local agencies is offered in Table 25-2. This overview should serve to frame the information which follows in terms of the number of children to which they pertain.

Table 25-2 indicates that most of the out-of-state placements that were reported were made by the state child welfare agency, the DPW's Division of Social Services. Placements by this agency account for all but one of the children reported placed out of Mississippi by state agencies, with the remaining placement having been made by the DMH's Division of Mental Health.

At the local level, placements were fairly infrequent, with eight reported by school districts and six reported by local mental health and retardation centers. Local placements equalled only about one-fourth of those reported by state agencies.

In the course of attempting to secure state agency juvenile justice placement information, the Department of Youth Services referred the study to the DPW's Division of Social Services because that agency administered the Interstate Compact on Juveniles at that time and the Department of Youth Services did not keep information on out-of-state placements. When contacted for this information, the DPW's Division of Social Services informed the study that records were not kept on the placement of adjudicated delinquents across state lines and that no information was available on the placement of these children. Accordingly, juvenile justice placements out of Mississippi are designated as not available in Table 25-2 and, in interpreting the table, this should be attributed to the fact that the two state agencies having responsibility for these children did not keep any of the information that was requested by the study.

The DOE's Division of Special Education and the DMH's Division of Mental Retardation reported making no out-of-state placements in 1978.

TABLE 25-2. MISSISSIPPI: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type						
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation	Mental Health and Mental Retardation	Total
State Agency Placements[a]	56	0	*	1	0	--[b]	57
Local Agency Placements	--	8	--	--[c]	--[c]	6	14
Total	56	8	*	1	0	6	71

* denotes Not Available.
-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 25-11 for specific information regarding state agency involvement in arranging out-of-state placements.

b. The DMH's Divisions of Mental Health and Mental Retardation were contacted separately for this information and their responses are displayed in the appropriate columns of this table.

c. Local mental health and mental retardation centers supplied this data and is displayed in a separate column of this table.

Table 25-3 indicates the number of placements made by local agencies in each Mississippi county or multicounty jurisdiction. Counties are used throughout this volume as the basic political unit of analysis and reporting, but agencies do not always obey the boundaries of counties. The local Mississippi agencies which are reported upon in Table 25-3 are of this type. Incidence figures reported for each county under education are for all of the local education agencies contained by the county in question. Therefore, the two placements reported for Jackson County represent single placements by two school districts. All mental health centers provide services to multicounty regions, and incidence reports for these agencies are included at the end of the table under the heading for multicounty jurisdictions.

Not apparent from Table 25-3 is the geographic distribution of counties containing placing school districts, and mental health and mental retardation centers reporting out-of-state placements. One-half of the placements reported by the two agency types were from agencies serving the six southern-most counties of Mississippi, which contain two SMSAs that are bordered by Louisiana to the west and Alabama to the east. These counties are George, Hancock, Harrison, Jackson, Pearl River, and Stone.

Except for one child, the remaining out-of-state placements were reported by agencies serving counties which are on borders with other states, which are located in SMSAs, or which meet both of these conditions. The single placement by a school district in Quitman County is the only one coming from a rural, nonborder county.

TABLE 25-3. MISSISSIPPI: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Mental Health and Mental Retardation
Adams	7,718	0	--
Alcorn	4,778	0	--
Amite	2,676	0	--
Attala	3,493	0	--
Benton	1,600	0	--
Bolivar	10,922	0	--
Calhoun	2,746	0	--
Carroll	1,847	0	--
Chickasaw	3,551	0	--
Choctaw	1,650	0	--
Claiborne	2,140	0	--
Clarke	2,713	1	--
Clay	3,674	0	--
Coahoma	8,962	0	--
Copiah	4,928	0	--
Covington	2,996	0	--
De Soto	11,081	1	--
Forrest	10,215	0	--
Franklin	1,420	0	--
George	2,934	0	--
Greene	1,662	0	--
Grenada	3,958	0	--
Hancock	3,560	0	--
Harrison	26,488	1	--
Hinds	43,420	0	--
Holmes	5,041	0	--
Humphreys	3,242	0	--
Issaquena	517	--	--
Itawamba	3,093	0	--
Jackson	22,670	2	--
Jasper	3,207	0	--
Jefferson	1,902	0	--
Jefferson Davis	2,637	0	--
Jones	10,254	0	--
Kemper	1,948	0	--
Lafayette	3,992	0	--
Lamar	3,448	0	--
Lauderdale	12,730	0	--
Lawrence	2,439	0	--
Leake	3,088	0	--
Lee	9,464	0	--
Leflore	8,483	0	--
Lincoln	5,025	0	--
Lowndes	10,274	0	--
Madison	7,090	0	--

TABLE 25-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Mental Health and Mental Retardation
Marion	4,717	0	--
Marshall	6,039	0	--
Monroe	6,678	1	--
Montgomery	2,494	0	--
Neshoba	4,259	0	--
Newton	3,210	0	--
Noxubee	2,880	0	--
Oktibbeha	5,339	0	--
Panola	6,046	0	--
Pearl River	5,414	0	--
Perry	1,946	0	--
Pike	6,400	0	--
Pontotoc	3,380	0	--
Prentiss	3,765	0	--
Quitman	3,504	1	--
Rankin	10,470	0	--
Scott	4,480	0	--
Sharkey	2,029	0	--
Simpson	3,991	0	--
Smith	2,713	0	--
Stone	1,582	0	--
Sunflower	7,891	0	--
Tallahatchie	4,317	0	--
Tate	4,367	0	--
Tippah	3,099	0	--
Tishomingo	2,693	0	--
Tunica	2,755	0	--
Union	3,506	0	--
Walthall	2,507	0	--
Warren	9,681	0	--
Washington	15,681	1	--
Wayne	3,592	0	--
Webster	1,777	0	--
Wilkinson	1,869	0	--
Winston	3,827	0	--
Yalobusha	2,220	0	--
Yazoo	5,797	0	--
Multicounty Jurisdictions			
Adams, Amite, Claiborne, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall, Wilkinson		--	0
Alcorn, Tippah, Tishomingo, Prentiss		--	0
Attala, Carroll, Grenada, Holmes, Humphreys, Leflore, Montgomery, Sunflower		--	0

TABLE 25-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Mental Health and Mental Retardation
Benton, Chickasaw, Itawamba, Lee, Monroe, Pontotoc, Union		--	1
Bolivar, Issaquena, Sharkey, Washington		--	0
Calhoun, De Soto, Lafayette, Marshall, Panola, Tate, Yalobusha		--	0
Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, Smith		--	0
Clay, Choctaw, Lowndes, Noxubee, Oktibbeha, Webster, Winston		--	0
Coahoma, Quitman, Tallahatchie, Tunica		--	0
Copiah, Hinds		--	1
Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry, Wayne		--	0
George, Jackson		--	3
Hancock, Harrison, Pearl River, Stone		--	1
Madison, Rankin, Simpson		--	0
Sharkey, Issaquena		0	--
Warren, Yazoo		--	0
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		8	6
Total Number of Local Agencies Reporting		152	15

-- denotes Not Applicable.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources; the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

As noted in reference to Table 25-2, the only locally administered agencies serving children in Mississippi are school districts and mental health and mental retardation centers. The results of the study's survey of these local agencies are presented in this section of the profile. Table 25-4 reflects the involvement of local agencies in out-of-state placements. Only eight of the 152 local school districts placed children out of state. These agencies constitute about five percent of all 152 local education agencies.

Relatively few mental health and mental retardation agencies reported out-of-state placements, as well, with four of the 15 mental health and mental retardation centers being involved in sending children to other states for care and treatment. These agencies represent 27 percent of all of those present in the state.

TABLE 25-4. MISSISSIPPI: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type	
	Education	Mental Health and Mental Retardation
Agencies Which Reported Out-of-State Placements	8	4
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0	0
Agencies Which Did Not Place Out of State	144	11
Agencies Which Did Not Participate in the Survey	0	0
Total Local Agencies	152	15

The reasons why nonplacing local agencies did not send children into other states are summarized in Table 25-5. The response for all 144 local education agencies that did not place children out of Mississippi in 1978 was that sufficient services were available in the state to meet children's needs. Ninety-four percent of these agencies added that the need for services that might require placement out of Mississippi did not occur in 1978, mentioned in the "other" category.

About one-half of the mental health and mental retardation agencies not placing children out of state said that sufficient services were available in Mississippi and that funds were not available for such placements should the need occur. Six agencies also reported a variety of "other" reasons for not sending children into other states in 1978, including the fact that they relied upon the state child welfare and education agencies to attend to such matters because of a lack of resources in their own service area.

TABLE 25-5. MISSISSIPPI: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)	
	Education	Mental Health and Mental Retardation
Lacked Statutory Authority	0	0
Restricted	0	0
Lacked Funds	0	5
Sufficient Services Available In State	144	5
Other[b]	136	6
Number of Agencies Reporting No Out-of-State Placements	144	11
Total Number of Agencies Represented in Survey	152	15

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-staste placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

Interagency cooperation that occurred among public agencies in the course of placing children out of Mississippi is described in Table 25-6. The table indicates the presence of this kind of collaboration among all school districts reporting placements and for all children placed by these agencies. One-half of the mental health and mental retardation centers reporting placements cooperated with other public agencies in placing two-thirds of the children reported placed out of state by these agencies.

TABLE 25-6. MISSISSIPPI: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type			
	Education		Mental Health and Mental Retardation	
	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	8	5	4	27
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	8	100	2	13
Number of CHILDREN Placed Out of State	8	100	6	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	8	100	4	67

a. See Table 25-4.

Table 25-7, describing the characteristics of children placed into other states by local agencies, indicates that children placed by education agencies were in need of special education services as well as being physically, emotionally, and multiply impaired.

Children placed by mental health and mental retardation centers had similar problems to those described by the school districts, and also included mentally retarded or developmentally disabled, unruly/disruptive, or delinquent children.

TABLE 25-7. MISSISSIPPI: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Mental Health and Mental Retardation
Physically Handicapped	7	2
Mentally Retarded or Developmentally Disabled	0	2
Unruly/Disruptive	0	2
Truant	0	0
Juvenile Delinquent	0	1
Mentally Ill/Emotionally Disturbed	7	3
Pregnant	0	0

TABLE 25-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting: Education	Number of AGENCIES Reporting: Mental Health and Mental Retardation
Drug/Alcohol Problems	0	0
Battered, Abandoned, or Neglected	0	0
Adopted	0	0
Special Education Needs	8	3
Multiple Handicaps	7	1
Other	0	0
Number of Agencies Reporting	8	4

a. Some agencies reported more than one type of condition.

There were no local agencies in Mississippi which placed more than four children out of state in 1978 and, therefore, no agencies were requested to provide the information collected from Phase II agencies in other states.

C. Use of Interstate Compacts by State and Local Agencies

An issue of particular importance to a study about the out-of-state placement of children concerns the extent to which interstate compacts are utilized to arrange such placements. Table 25-8 reports overall findings about the use of compacts in 1978 by local Mississippi agencies which arranged out-of-state placements. Information is given to facilitate a comparison of compact utilization across agency types.

Consideration of compact utilization by local education and mental health and mental retardation agencies shows a distinct contrast. Only one of the eight placing school districts reported utilizing an interstate compact during the placement of children. All four mental health and mental retardation agencies used such an agreement for at least a portion of their placements. Six school districts' compact utilization was undetermined.

TABLE 25-8. MISSISSIPPI: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Local Agencies Which Placed Children Out of State	Number of AGENCIES: Education	Number of AGENCIES: Mental Health and Mental Retardation
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	8	4
• Number Using Compacts	1	4
• Number Not Using Compacts	1	0

TABLE 25-8. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES	
	Education	Mental Health and Mental Retardation
• Number with Compact Use Unknown	6	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	0	0
• Number Using Compacts	--	--
Interstate Compact on the Placement of Children		
Yes	--	--
No	--	--
Don't Know	--	--
Interstate Compact on Juveniles		
Yes	--	--
No	--	--
Don't Know	--	--
Interstate Compact on Mental Health		
Yes	--	--
No	--	--
Don't Know	--	--
• Number Not Using Compacts	--	--
• Number with Compact Use Unknown	--	--
TOTALS		
Number of AGENCIES Placing Children Out of State	8	4
Number of AGENCIES Using Compacts	1	4
Number of AGENCIES Not Using Compacts	1	0
Number of AGENCIES with Compact Use Unknown	6	0

-- denotes Not Applicable.

There are strong contrasts among service types when the number of children placed out of state with compact use are examined in Table 25-9. In fact, all children placed out of Mississippi in 1978 by local mental health and mental retardation agencies were processed by a compact while only one of the eight education placements was determined to be arranged through an interstate agreement.

TABLE 25-9. MISSISSIPPI: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

	Number of CHILDREN	
Children Placed Out of State	Education	Mental Health and Mental Retardation
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	8	6
• Number Placed with Compact Use	1	6
• Number Placed without Compact Use	1	0
• Number Placed with Compact Use Unknown[a]	6	0
CHILDREN PLACED BY PHASE II AGENCIES	0	0
• Number Placed with Compact Use	--	--
Number through Interstate Compact on the Placement of Children	--	--
Number through Interstate Compact on Juveniles	--	--
Number through Interstate Compact on Mental Health	--	--
• Number Placed without Compact Use	--	--
• Number Placed with Compact Use Unknown	--	--
TOTALS		
Number of CHILDREN Placed Out of State	8	6
Number of CHILDREN Placed with Compact Use	1	6
Number of CHILDREN Placed without Compact Use	1	0
Number of CHILDREN Placed with Compact Use Unknown	6	0

-- denotes Not Applicable.

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

Figures 25-1 and 25-2 graphically depict this compact utilization by agency type, with the percentage of children placed outside of Mississippi without compact use, with compact utilization, and for which compact use was undetermined.

FIGURE 23-1. MISSISSIPPI: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978

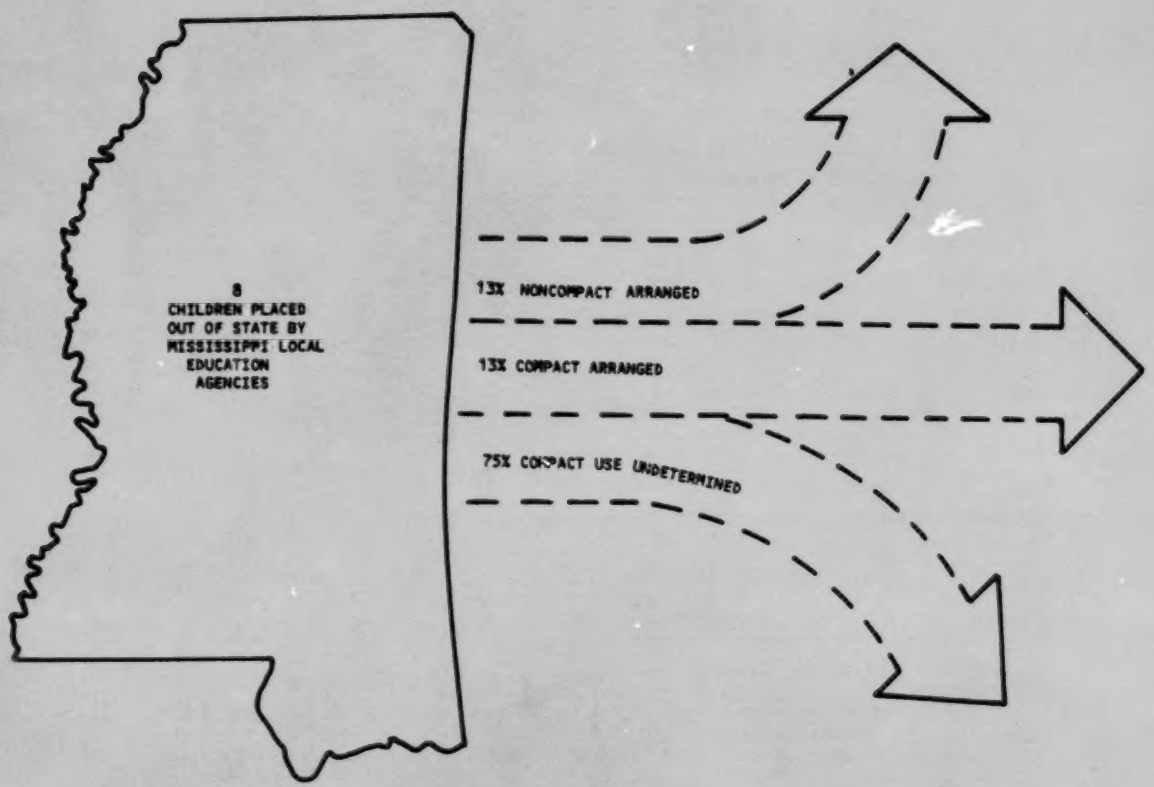
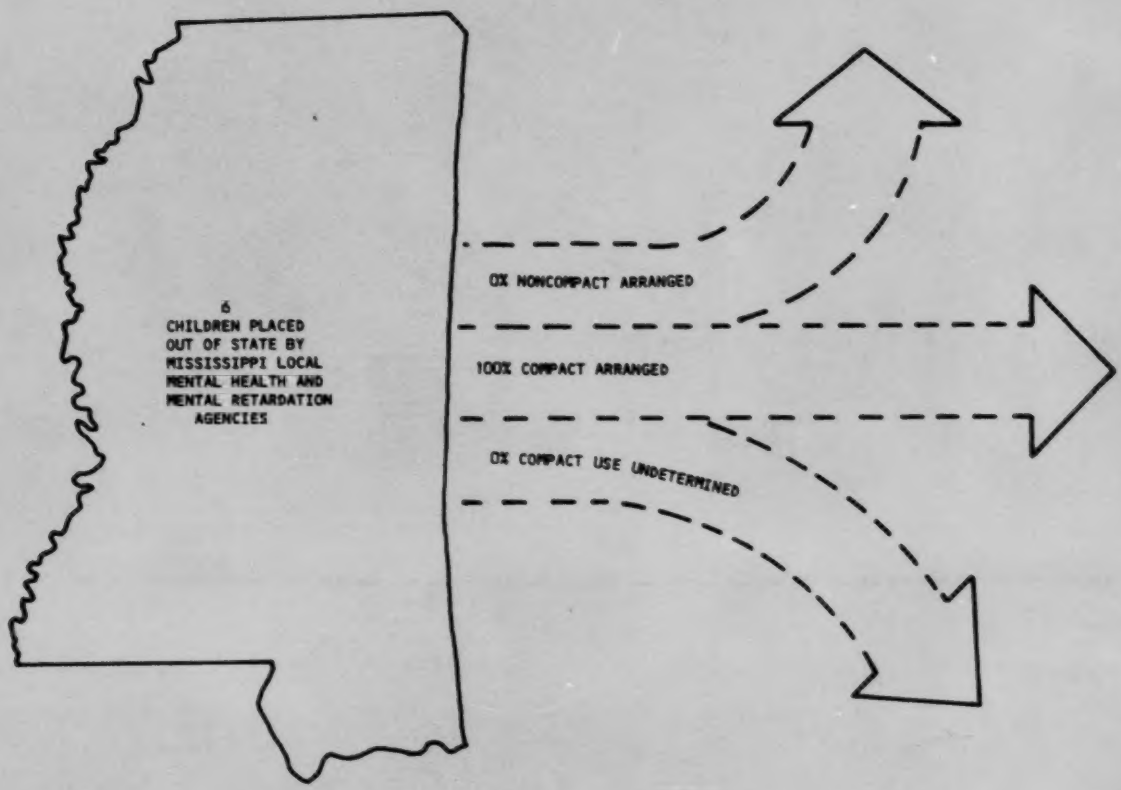


FIGURE 25-2. MISSISSIPPI: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL MENTAL HEALTH AND MENTAL RETARDATION AGENCIES IN 1978


6
CHILDREN PLACED OUT OF STATE BY MISSISSIPPI LOCAL MENTAL HEALTH AND MENTAL RETARDATION AGENCIES
0% NONCOMPACT ARRANGED
100% COMPACT ARRANGED
0% COMPACT USE UNDETERMINED

The Mississippi state agencies' reports of interstate compact use, as seen in Table 25-10, reflect contrasts in utilization as well. However, in this case, the state child welfare agency reported 100 percent compact utilization for 56 placements, while both the state education and the mental health and mental retardation agencies reported no use of an interstate compact for eight and seven reported placements, respectively. This latter information conflicts with the local agency reports. The state juvenile justice agency was unable to supply any information about its out-of-state placement activity and compact utilization in 1978.

TABLE 25-10. MISSISSIPPI: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency-Arranged Placements	56	8	*	7
Total Number of Compact-Arranged Placements Reported by State Agencies	56	0	*	0
Percentage of Compact-Arranged Placements	100	0	*	0

* denotes Not Available.

D. The Out-of-State Placement Practices of State Agencies

The ability of state agencies to report upon their involvement in out-of-state placements is summarized in Table 25-11. This table expands upon the state agency information provided in Table 25-2 by showing the number of children placed out of Mississippi in 1978 according to the type of involvement by the state agencies in placement. The DPW's Division of Social Services and the DOE's Division of Special Education can be seen to have taken different roles in the out-of-state placement process, with the former state agency arranging and funding all 56 child welfare placements and the latter funding the eight education placements which were reported to have been arranged by school districts in the foregoing description of local agency practices.

Information is represented as unavailable for the Department of Youth Services, the state juvenile justice agency. The placement activities through the Interstate Compact on Juveniles, handled by the DPW's Division of Social Services, is in the "Other" response of the child welfare column, and information was also unavailable for the reasons stated in the prefatory remarks to Table 25-2.

The only other out-of-state placements reported by Mississippi state agencies was one by the DMH's Division of Mental Health, for which the agency made arrangements without explicitly having legal or financial responsibility for the child. The DMH's Division of Mental Retardation did not make any out-of-state placements in 1978.

TABLE 25-11. MISSISSIPPI: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Arranged and Funded	56	0	*	0	0
Locally Arranged but State Funded	--	8	--	0	0
Court Ordered, but State Arranged and Funded	0	0	*	0	0
Subtotal: Placements Involving State Funding	56	8	*	0	0
Locally Arranged and Funded, and Reported to State	--	0	--	0	0
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	0	0	*	1	0
Other	*b	0	*	0	0
Total Number of Children Placed Out of State With State Assistance or Knowledge[a]	56	8	*	1	0

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

b. Other placements were indicated to have been processed through the Interstate Compact on Juveniles, the number of which was unavailable.

It is apparent from Table 25-12 that the only placements for which destinations were available were the eight reported by the DOE's Division of Special Education and the one child placed by the DMH's Division of Mental Health to Texas. Two of the eight placements by the state education agency were to states contiguous to Mississippi, one to Tennessee and another to Alabama.

Destinations were not available for all children placed by the DPW's Division of Social Services or the Department of Youth Services.

TABLE 25-12. MISSISSIPPI: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed			
	Child Welfare	Education	Juvenile Justice	Mental Health
Alabama		1		0
Georgia		1		0
Missouri		2		0
Tennessee		1		0
Texas		3		1
Placements for Which Destinations Could Not be Reported by State Agencies	All	0	All	0
Total Number of Placements	56	8	*	1

* denotes Not Available.

State agencies were asked to describe the children that they placed out of Mississippi according to a list of conditions and statuses. The responses of these agencies are given in Table 25-13, except for the Department of Youth Services which did not provide descriptive information. The DPW's Division of Social Services was involved in placing children out of state with a wide variety of characteristics. Handicapping conditions were mentioned, including physical, mental, developmental, and emotional impairment. Children with behavioral problems as well as neglected children were also placed out of Mississippi and some placements were for foster or adoptive children.

The DOE's Division of Special Education and the DMH's Division of Mental Health mentioned placing children who were emotionally disturbed, making that characteristic the one most frequently mentioned by state agencies.

TABLE 25-13. MISSISSIPPI: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]		
	Child Welfare	Education	Mental Health
Physically Handicapped	X	0	0
Mentally Handicapped	X	0	0
Developmentally Disabled	X	0	0
Unruly/Disruptive	X	0	0
Truants	0	0	0
Juvenile Delinquents	0	0	0
Emotionally Disturbed	X	X	X
Pregnant	0	0	0
Drug/Alcohol Problems	0	0	0

TABLE 25-13. (Continued)

Types of Conditions	Agency Type[a]		
	Child Welfare	Education	Mental Health
Battered, Abandoned, or Neglected	X	0	0
Adopted Children	X	0	0
Foster Children	X	0	0
Other	0	0	0

a. X indicates conditions reported.

State agencies were further asked to describe the type of setting most frequently selected to receive children placed out of Mississippi. The DPW's Division of Social Services said that out-of-state placements were most frequently made to the homes of relatives other than parents. The DOE's Division of Special Education and DMH's Division of Mental Health said that children were most often sent to residential treatment or child care facilities. The Department of Youth Services did not respond to this question.

Finally, the only state agency which responded to inquiries about expenditures for out-of-state placements was the DMH's Division of Mental Health, which said that no public funds were spent on the single reported placement.

E. State Agencies' Knowledge of Out-of-State Placements

As a final review, Table 25-14 offers the incidence of out-of-state placements reported by Mississippi public agencies and the number of children placed out of state in 1978 of which the state agencies had knowledge. Both the state child welfare and juvenile justice agencies have no local public counterparts, but only the child welfare agency was able to report upon its 1978 out-of-state placement activity. The state education agency was able to accurately report the number of children placed out of Mississippi by local school districts in 1978. This was not the case for the mental health and mental retardation service area. Local agencies reported being involved in the placement of six children which the state agency did not report.

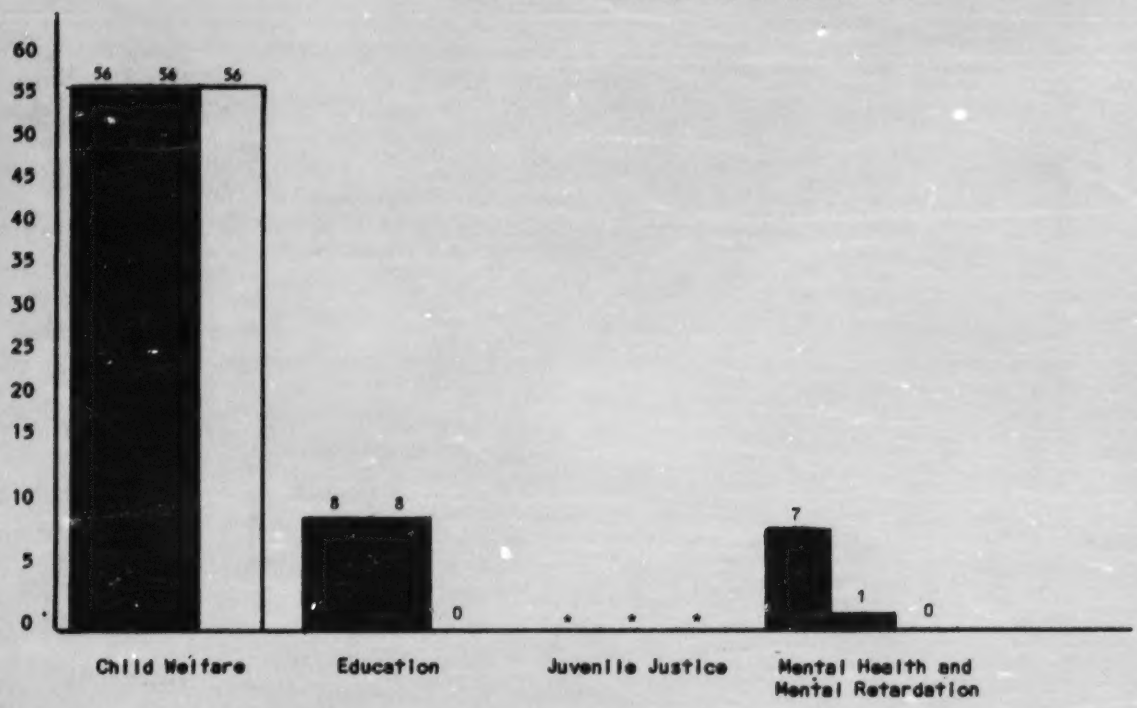
TABLE 25-14. MISSISSIPPI: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	56	8	*	7
Total Number of Placements Known to State Agencies	56	8	*	1
Percentage of Placements Known to State Agencies	100	100	*	14

* denotes Not Available.

This discrepancy in the state and local agencies' report of placement incidence is illustrated in Figure 25-3, along with each state agency's compact utilization information.

FIGURE 25-3. MISSISSIPPI: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

Below appear some primary conclusions that can be drawn from the study's survey of Mississippi public agencies.

- Most placement services and all funding of out-of-state placements are provided by state agencies in Mississippi, especially by the DPW's Division of Social Services.

- The few out-of-state placements made locally occur among school districts and mental health and mental retardation centers primarily in border counties and which cooperate with other public agencies in the placement process.

- The child most likely to be placed out of Mississippi is the "hard to place" handicapped or emotionally disturbed individual.

- The lack of recordkeeping on children placed out of state through the Interstate Compact on Juveniles is one of the most serious deficiencies discovered in this study.

The reader is encouraged to compare national trends described in Chapter 2 with findings which relate to specific practices in Mississippi in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN MISSOURI

I. ACKNOWLEDGMENTS

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II. METHODOLOGY

Information was systematically gathered about Missouri from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Missouri appears below in Table 26-1.

TABLE 26-1. MISSOURI: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone interview Mailed Survey: DSS officials	Telephone interview Mailed Survey: DESE officials	Telephone interview Mailed Survey: DSS officials	Telephone interview Mailed Survey: DMH officials
Local Agencies[a]	Not Applicable (State Offices)	Telephone Survey: 10 percent sample of the 557 local school districts to verify state information[b]	Telephone Survey: All 43 local probation offices	Not Applicable (State Offices)

a. Telephone survey was conducted by the National Juvenile Law Center of St. Louis under a subcontract to the Academy.

b. Information attributed in this profile to the state's school districts and local probation offices was gathered from the state education and juvenile justice agencies and the percent samples.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Missouri has the 18th largest land area (68,995 square miles) and is the 15th most populated state (4,769,816) in the United States. It has 50 cities with populations over 10,000 and 16 cities with populations over 30,000. St. Louis is the most populated city in the state with a population of over 524,000. Jefferson City, the capital, is the 11th most populated city in the state with over 34,000. It has 114 counties and one independent city, St. Louis. The estimated 1978 population of persons eight to 17 years old was 821,912.

Missouri has five Standard Metropolitan Statistical Areas (SMSAs). Two of the SMSAs include a portion of two contiguous states: Kansas and Illinois. Other contiguous states are Tennessee, Oklahoma, Nebraska, Iowa, Kentucky, and Arkansas.

Missouri was ranked 30th nationally in total state and local per capita expenditures, 46th in per capita expenditures for education, and 38th in per capita expenditures for public welfare.[1]

B. Child Welfare

The primary agency in Missouri responsible for delivering services to children and youth is the Department of Social Services (DSS) through its Division of Family Services. This division maintains 15 district offices and 115 branch offices in each of the state's counties and in the independent city of St. Louis. Through these branch offices, protective, day care, foster, and adoption services are offered.

It is reported that all out-of-state placements are made through the Interstate Compact on the Placement of Children (ICPC). Missouri has been a member of the compact since 1975.

C. Education

Missouri's Department of Elementary and Secondary Education (DESE) has the major responsibility for its educational system. The 557 local school districts, however, have direct responsibility for providing the normal curriculum K-12 and special education services. According to DESE personnel, Missouri state law, Section 162.705, limits the authority of school districts to contract with nearby districts or public agencies for services within the state. If the local school district is unable to contract for such services, the State Board of Education may contract with a private organization within or outside the state. The DESE reportedly keeps records on all placements made by their department, including out-of-state residential placements.

D. Juvenile Justice

Circuit courts have jurisdiction over dependent, neglected, and delinquent children in Missouri. There are 43 circuit courts having jurisdiction over the 114 counties and the city of St. Louis, with either juvenile judges in the larger counties or circuit court judges assuming responsibilities for juveniles. All judges are paid with state funds. The courts are able to place children in other states either through the Interstate Compact on Juveniles or independently. Probation and parole services for youth are administered locally by juvenile probation officers assigned to the locally operated courts. Probation services for youth committed to state institutions by these courts are the responsibility of the Division of Youth Services (DYS) in the Department of Social Services. The DYS operates five juvenile institutions. It also maintains an extensive system of community-based group homes and aftercare services.

The DYS has administered the Interstate Compact on Juveniles since the state joined that compact in 1955. However, it is reported that Missouri has not adopted the optional Out-of-State Confinement Amendment.

E. Mental Health and Mental Retardation

The Department of Mental Health (DMH) provides services through its own state hospital or under contract with private, nonprofit community mental health centers. There are no county-operated mental health agencies in Missouri. However, state law permits counties to vote upon local (millage) taxes to support workshops for the developmentally disabled or the mentally ill.

In 1978, the Department of Mental Health was uncertain about whether or not the agency had the statutory authority to place children out of state. An attorney general's opinion on the subject states that other than the specification in the Interstate Compact on Mental Health (ICMH) about interstate transfers between public institutions because of change of family residence, the Missouri's DMH does not have the authority to place patients out of state. Missouri joined the ICMH in 1959.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The results of the study's survey of state and local agencies are included in this section and are accompanied by descriptive comments. The following information has been organized in such a way as to address the major issues relevant to the out-of-state placement of children that were mentioned in Chapter I.

A. The Number of Children Placed in Out-of-State Residential Settings

A summary of out-of-state placement activity discovered among state and local agencies has been included in Table 26-2 to introduce the more specific survey findings to follow.

Table 26-2 indicates that out-of-state placement information was not available from the state child welfare agency, the DSS' Division of Family Services. This agency administers and supervises child welfare services throughout the state and the absence of data from this source causes a major piece of the overall out-of-state placement picture to be omitted from the report. There were no placements reported by the Department of Mental Health, leaving the five placements reported by the Division of Youth Services and the 15 children reported by the Department of Elementary and Secondary Education as the sum of Missouri state agency activity in out-of-state placements.

There are no child welfare or mental health and mental retardation agencies under the auspices of local government, and local school districts were reported not to have placed any children out of Missouri in 1978. Therefore, the only out-of-state placements which were made by local agencies were the responsibility of the local juvenile justice agencies, which reported sending 126 children into other states for care in 1978.

TABLE 26-2. MISSOURI: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Total
State Agency Placements[a]	*	15	5	0	20
Local Agency Placements	--	0	126	--	126
Total	*	15	131	0	146

* denotes Not Available.

-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 26-15 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 26-3 lists the counties served by circuit courts' probation offices. Circuit courts often serve more than one county. Where a court and its probation office have single-county jurisdiction, the number of placements is indicated in the county list; where there are multicounty service areas, placement incidence reports appear under multicounty jurisdictions.

Jackson and St. Louis County juvenile justice agencies placed the largest number of children out of Missouri, accounting for nearly one-half of all local juvenile justice placements. The remaining 64 placements are distributed among 15 single and multicounty probation offices, only one (serving Carter, Howell, Oregon, and Shannon Counties) of which placed more than ten children out of Missouri. This agency placed 15 children out of state and, like 11 other juvenile justice agencies reporting placements, it serves counties which border on other states. Agencies serving no SMSA counties figure substantially into total local juvenile justice placements, making 34 percent of all placements discovered among the court probation offices.

TABLE 26-3. MISSOURI: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978
		Juvenile Justice
Adair	2,996	--
Andrew	2,452	--
Atchison	1,334	--
Audrain	4,626	--
Barry	3,418	--
Barton	1,618	--
Bates	2,697	--
Benton	1,698	--
Bollinger	1,629	--
Boone	12,156	--
Buchanan	15,285	--
Butler	6,145	--
Caldwell	1,452	--
Callaway	4,671	--
Camden	2,433	--
Cape Girardeau	7,859	--
Carroll	1,895	--
Carter	863	--
Cass	9,492	--
Cedar	1,681	--
Charlton	1,669	--
Christian	3,401	--
Clark	1,516	--
Clay	24,502	0
Clinton	2,562	--
Cole	8,550	5
Cooper	2,373	--
Crawford	2,840	--
Dade	1,074	--
Dallas	1,917	--
Daviess	1,395	--
De Kalb	1,330	--
Dent	2,276	--
Douglas	1,940	--
Dunklin	6,654	--
Franklin	12,766	--
Gasconade	1,867	--
Gentry	1,199	--
Greene	26,320	0
Grundy	1,713	--
Harrison	1,563	--
Henry	3,197	--
Hickory	810	--
Holt	997	--
Howard	1,569	--
Howell	4,405	--
Iron	1,818	--
Jackson	108,085	25 est
Jasper	13,405	6 est
Jefferson	24,777	8 est

TABLE 26-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978 Juvenile Justice
Johnson	4,713	--
Knox	935	--
Laclede	3,861	--
Lafayette	4,865	--
Lawrence	4,348	--
Lewis	1,909	--
Lincoln	3,744	--
Linn	2,201	--
Livingston	2,460	--
McDonald	2,879	--
Macon	2,405	--
Madison	1,510	--
Maries	1,231	--
Marion	4,778	--
Mercer	643	--
Miller	2,699	--
Mississippi	3,234	--
Moniteau	2,032	--
Monroe	1,683	--
Montgomery	2,127	--
Morgan	2,065	--
New Madrid	4,842	--
Newton	6,060	--
Nodaway	2,946	--
Oregon	1,681	--
Osage	2,333	--
Ozark	1,025	--
Pemiscot	5,198	--
Perry	2,666	--
Pettis	5,547	--
Phelps	5,368	--
Pike	3,130	--
Platte	7,439	0
Polk	2,749	--
Pulaski	5,272	--
Putnam	880	--
Ralls	1,468	--
Randolph	3,643	--
Ray	3,672	--
Reynolds	1,249	--
Ripley	2,256	--
St. Charles	24,743	--
St. Clair	1,366	--
St. Francois	6,781	--
St. Louis	174,841	37
Ste. Genevieve	2,820	--
Saline	3,739	--
Schuyler	739	--
Scotland	935	--
Scott	6,735	--

TABLE 26-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978 — Juvenile Justice
Shannon	1,429	--
Shelby	1,330	--
Stoddard	4,721	--
Stone	1,889	--
Sullivan	1,057	--
Taney	2,149	--
Texas	3,834	--
Vernon	2,941	--
Warren	2,363	--
Washington	3,342	--
Wayne	1,802	--
Webster	3,594	--
Worth	515	--
Wright	2,466	--
St. Louis City	85,145	2 est
Multicounty Jurisdictions		
St. Charles, Pike, Lincoln		7
Carter, Howell, Oregon, Shannon		15 est
Charlton, Linn, Sullivan		0
Lafayette, Saline		0
Bates, Henry, St. Clair		0
Mississippi, Scott		0
Atchison, Gentry		0
Barry, Lawrence, Stone		0
Marion, Monroe, Ralls		0
De Kalb, Caldwell, Daviess, Livingston		0
St. Francois, Madison Perry, Ste. Genevieve, Washington		1
Butler, Ripley		0
Cooper, Pettis		4 est
Cedar, Vernon, Barton, Dade		3
Cass, Johnson		2
Laclede, Miller, Moniteau, Morgan, Camden		0
Phelps, Maries, Pulaski, Texas		1

TABLE 26-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978 Juvenile Justice
Multicounty Jurisdictions (Continued)		
Adair, Knox, Lewis		3
Putnam, Harrison, Mercer, Grundy		0
Andrew, Buchanan, Clinton		0
Clark, Schuyler, Scotland		0
Benton, Dallas, Hickory, Polk, Webster		0
Newton, McDonald		0
Crawford, Dent, Iron, Reynolds, Wayne		0
Carroll, Ray		3 est
Audrain, Montgomery, Warren		1
New Madrid, Pemiscot		3 est
Howard, Randolph		0
Macon, Shelby		0
Franklin, Gasconade, Osage		0
Christian, Douglas, Ozark, Taney, Wright		0
Boone, Callaway		0
Cape Girardeau, Bollinger		0
Stoddard, Dunklin		0
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		126 est
Total Number of Local Agencies Reporting		43

-- denotes Not Applicable.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

Table 26-4 shows the involvement of Missouri local agencies in out-of-state placements during 1978. The table illustrates that no school districts were involved in this practice in that year and that 40 percent of the 43 court probation offices with juvenile jurisdiction did report placing at least one child out of Missouri.

It is also important to point out that all agencies contacted agreed to participate in the study and were prepared to report on their involvement in out-of-state placements.

TABLE 26-4. MISSOURI: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type	
	Education	Juvenile Justice
Agencies Which Reported Out-of-State Placements	0	17
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0	0
Agencies Which Did Not Place Out of State	557	26
Agencies Which Did Not Participate in the Survey	0	0
Total Local Agencies	557	43

Those local school districts and juvenile probation offices that were not involved in 1978 in placing children out of Missouri were asked to explain why, according to a list of explanations. Table 26-5 indicates that data collected about local school districts confirms the presence of a statutory prohibition against their placing children out of state. Ninety percent of all local education responses are attributable to this category. The state education agency, reporting for 501 school districts, provided this response, while nine local agencies contacted in the sample also provided this reason. The bulk of the remaining ten percent indicate that placements were not made because of the presence of sufficient services in Missouri. Most responding juvenile justice agencies also reported that the reason for them not placing children out of state was because of sufficient services in the state to meet children's needs.

TABLE 26-5. MISSOURI: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)	
	Education	Juvenile Justice
Lacked Statutory Authority	510	0
Restricted[b]	1	0
Lacked Funds	3	2
Sufficient Services Available In State	46	25
Other[c]	9	2
Number of Agencies Reporting No Out-of-State Placements	357	26
Total Number of Agencies Represented in Survey	357	43

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

Juvenile probation offices, as well as other agencies, sometimes seek the consultation and assistance of other public agencies in the process of placing children out of state. The extent to which other agencies were involved in the placements of court probation offices is reported in Table 26-6. Just over one-half of the juvenile justice agencies reporting placements indicated that they cooperated with other public agencies in making out-of-state placements. However, this cooperation was not brought to bear on a proportional number of placements, with less than one-third of them being made with the involvement of other agencies.

TABLE 26-6. MISSOURI: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type	
	Juvenile Justice	
	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	17	40
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	9	53
Number of CHILDREN Placed Out of State	126	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	36	29

a. See Table 26-4.

All local agencies reporting out-of-state placements were given an opportunity to describe the children placed according to a list of conditions and statuses. Table 26-7 summarizes the responses of the local probation offices and indicates that the most frequent number of responses were given by agencies placing children who were unruly/disruptive or delinquent. Less than one-third of the juvenile justice agencies also described children placed as truant and battered, abandoned, or neglected.

TABLE 26-7. MISSOURI: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of Agencies Reporting Juvenile Justice
Physically Handicapped	0
Mentally Retarded or Developmentally Disabled	1
Unruly/Disruptive	10
Truant	5
Juvenile Delinquent	11
Mentally Ill/Emotionally Disturbed	3
Pregnant	0
Drug/Alcohol Problems	3
Battered, Abandoned, or Neglected	5
Adopted	0
Special Education Needs	0
Multiple Handicaps	1

TABLE 26-7. (Continued)

Types of Conditions[a]	Number of Agencies Reporting Juvenile Justice
Other	0
Number of Agencies Reporting	17

a. Some agencies reported more than one type of condition.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Missouri's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

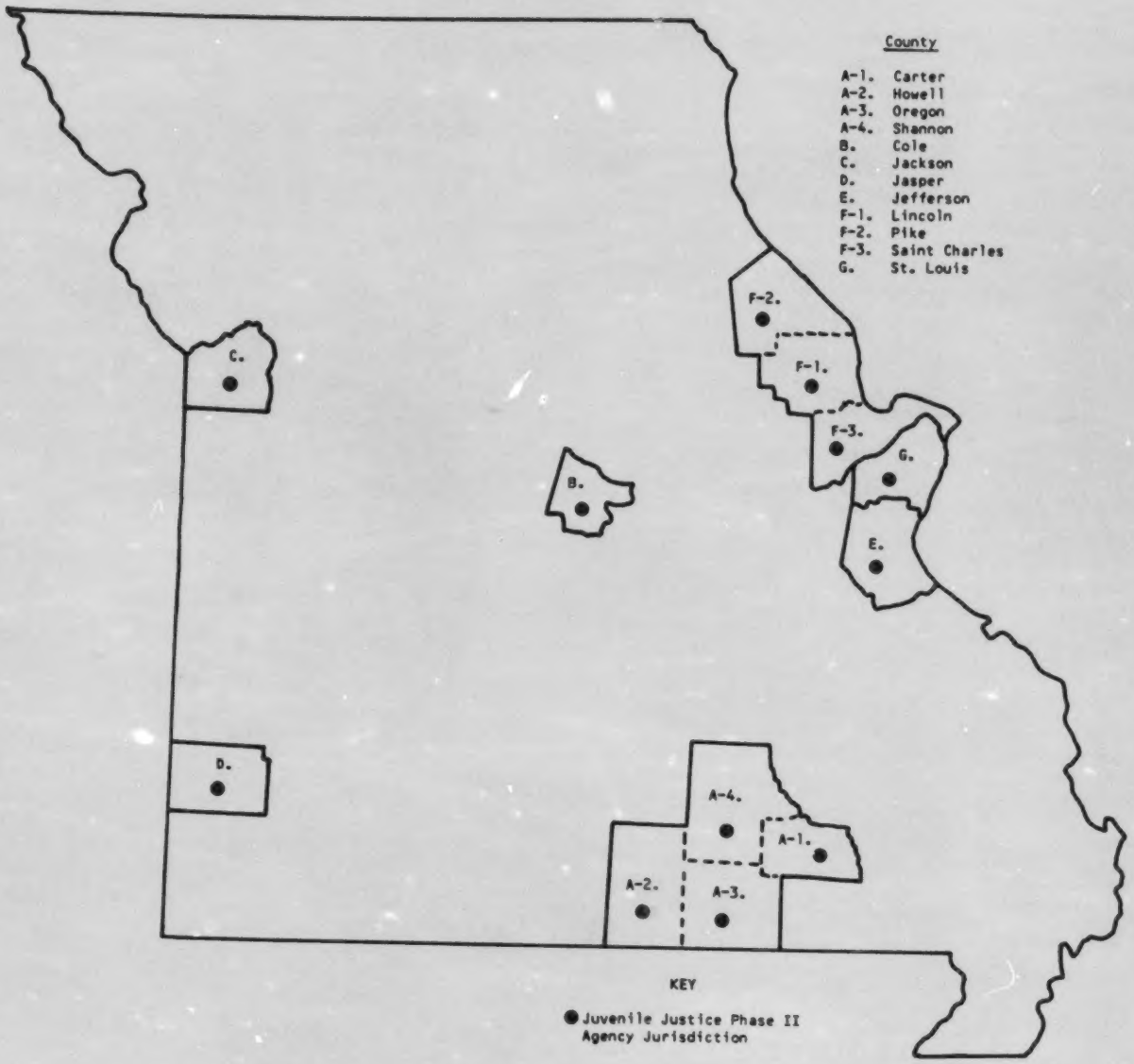
The relationship between the number of local Missouri juvenile justice agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 26-1. Forty-one percent of the placing agencies are in the Phase II category. They reported arranging 82 percent of the local juvenile justice agencies in 1978. Clearly, the detailed information to be reported on the practices of Phase II agencies is descriptive of the majority of out-of-state placements arranged by local juvenile justice agencies in Missouri in 1978.

FIGURE 26-1. MISSOURI: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Juvenile Justice
Number of AGENCIES	43
Number of AGENCIES Reporting Out-of-State Placements in 1978	17
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	7
Number of CHILDREN Placed Out of State in 1978	126
Number of CHILDREN Placed by Phase II Agencies	103
Percentage of Reported Placements in Phase II	82

The locations of the seven Phase II agencies by their counties of jurisdiction are illustrated in Figure 26-2. Three of these Phase II juvenile justice agencies, serving five counties, are in or adjacent to the St. Louis SMSA on the state's eastern border. In fact, all but one Phase II agency (Cole County) serve counties which are on a Missouri border.

FIGURE 26-2. MISSOURI: COUNTY LOCATION OF LOCAL PHASE II AGENCIES



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Local Phase II juvenile justice agencies were asked to report the states to which children were sent. Table 26-8 summarizes the destinations that were given for children placed by the local probation offices in this category. Interpretation of the findings for children's destinations must be qualified by the fact that destinations were not reported for 32 percent of the children placed by the agencies. There appears a clear preference among reporting agencies for settings which are located in Illinois. Over one-half of the children for which destinations were available went to this state. An additional one-fourth of these children went to Kansas and seven children were placed into Nebraska in 1978. The remaining six children went to as many states, the most distant of which were Florida, Louisiana, and Ohio.

TABLE 26-8. MISSOURI: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed Juvenile Justice
Florida	1
Illinois	39
Iowa	1
Kansas	18
Louisiana	1
Nebraska	7
Ohio	1
Oklahoma	1
Texas	1
Placements for Which Destinations Could Not be Reported by Phase II Agencies	33
Total Number of Phase II Agencies	7
Total Number of Children Placed by Phase II Agencies	103

Figure 26-3 focuses on the number of children who were placed into states contiguous to Missouri by Phase II juvenile justice agencies. It indicates a strong trend toward use of the border states by these agencies. Only four children of the 70 for which destinations were available were not placed into one of these border states. The strong preferences for settings in Illinois is especially apparent here, receiving nearly 60 percent of children placed to surrounding states. There were no placements in 1978 to Arkansas, Kentucky, or Tennessee, however.

FIGURE 26-3. MISSOURI: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO MISSOURI BY LOCAL PHASE II AGENCIES[a]

a. Local Phase II juvenile justice agencies reported destinations for 70 children.

Phase II agencies were asked to describe why these placements were made. Table 26-9 summarizes the responses of the seven reporting juvenile justice agencies and indicates the most frequent rationale for placing children into other states was to enable them to be in the home of a relative. Five agencies also said that Missouri lacked services comparable to other states and that they had experienced previous success with particular receiving facilities. Finally, four local agencies reported placing children out of state as an alternative to putting them in a public institution in Missouri.

TABLE 26-9. MISSOURI: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting: Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0
Previous Success with Receiving Facility	5
Sending State Lacked Comparable Services	5
Standard Procedure to Place Certain Children Out of State	0
Children Failed to Adapt to In-State Facilities	2
Alternative to In-State Public Institutionalization	4
To Live with Relatives (Non-Parental)	6
Other	2
Number of Phase II Agencies Reporting	7

a. Some agencies reported more than one reason for placement.

The types of settings most frequently selected by Phase II juvenile probation offices placing more than four children into other states are indicated in Table 26-10. Again, relatives' homes seem to be preferred by most agencies, while a minority said that residential treatment/child care facilities or group homes were most frequently selected.

TABLE 26-10. MISSOURI: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting: Juvenile Justice
Residential Treatment/Child Care Facility	2
Psychiatric Hospital	0
Boarding/Military School	0
Foster Home	0
Group Home	1
Relative's Home (Non-Parental)	4
Adoptive Home	0
Other	0
Number of Phase II Agencies Reporting	7

The various methods used by local Phase II juvenile justice agencies to monitor children's progress in placement are included in Table 26-11. The seven reporting local agencies were very much divided in the ways that they follow up on children who are out of Missouri. Each monitoring method was mentioned at least once and frequently more than one among the various time intervals provided. The most frequently mentioned method, without regard to how frequently it was done, was the receipt of a written progress report. The time interval for monitoring events most often mentioned was "other," meaning these monitoring practices were undertaken at irregular intervals.

TABLE 26-11. MISSOURI: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a] Juvenile Justice
Written Progress Reports	Quarterly	2
	Semiannually	3
	Annually	0
	Other[b]	1
On-Site Visits	Quarterly	0
	Semiannually	0
	Annually	1
	Other[b]	2
Telephone Calls	Quarterly	1
	Semiannually	1
	Annually	0
	Other[b]	3
Other	Quarterly	0
	Semiannually	0
	Annually	0
	Other[b]	2
Total Number of Phase II Agencies Reporting		7

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

Local Phase II agencies were further asked to provide information on their expenditures for these placements. Six of the seven local placing agencies were able to provide this information and they reported spending $36,889 for placements out of Missouri in that year.

D. Use of Interstate Compacts by State and Local Agencies

The survey of local juvenile justice agencies in Missouri also determined the extent to which interstate compacts were utilized to arrange out-of-state placements. A review of Table 26-12 indicates that ten of the 17 agencies which placed children out of state in 1978 reported that none of their placements were arranged through an interstate compact. Seven of these 17 agencies were Phase II agencies, four of which only reported utilizing the Interstate Compact on Juveniles in 1978.

TABLE 26-12. MISSOURI: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	10
• Number Using Compacts	3
• Number Not Using Compacts	7
• Number with Compact Use Unknown	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	7
• Number Using Compacts	4
Interstate Compact on the Placement of Children	
Yes	0
No	5
Don't Know	2
Interstate Compact on Juveniles	
Yes	4
No	2
Don't Know	1
Interstate Compact on Mental Health	
Yes	0
No	6
Don't Know	1
• Number Not Using Compacts	3
• Number with Compact Use Unknown	0
TOTALS	
Number of AGENCIES Placing Children Out of State	17
Number of AGENCIES Using Compacts	7
Number of AGENCIES Not Using Compacts	10
Number of AGENCIES with Compact Use Unknown	0

Further knowledge concerning the utilization of interstate compacts is acquired through consideration of the information given in Table 26-13. This table indicates the number of children who were or were not placed out of state with a compact. An examination of the overall trends shows that a total of 80 children were placed in out-of-state residential care in 1978 without the use of a compact. Twenty-three of the 103 children placed out of state by Phase II agencies were processed through an interstate compact. Twenty-two of these placements were arranged through the Interstate Compact on Juveniles.

TABLE 26-13. MISSOURI: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	23
• Number Placed with Compact Use	3
• Number Placed without Compact Use	14
• Number Placed with Compact Use Unknown[a]	6
CHILDREN PLACED BY PHASE II AGENCIES	103
• Number Placed with Compact Use[b]	23
Number through Interstate Compact on the Placement of Children	0
Number through Interstate Compact on Juveniles	22
Number through Interstate Compact on Mental Health	0
• Number Placed without Compact Use	66
• Number Placed with Compact Use Unknown	14
TOTALS	
Number of CHILDREN Placed Out of State	126
Number of CHILDREN Placed with Compact Use	26
Number of CHILDREN Placed without Compact Use	80
Number of CHILDREN Placed with Compact Use Unknown	20

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

b. If an agency reported using a compact but could not report the number of placements arranged through the specific compact, one placement is indicated as compact-arranged and the others are included in the category "number placed with compact use unknown."

Graphic representation of the information gathered about interstate compact utilization for children placed out of state in 1978 by local agencies is illustrated in Figure 26-4. This figure shows that of the 126 children reported placed out of state by local juvenile justice agencies in Missouri, 63 percent were noncompact arranged placements, 21 percent were compact arranged, and compact use was undetermined for 16 percent.

FIGURE 26-4. MISSOURI: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978

Missouri state agencies also reported compact utilization information about the out-of-state placements of which they had knowledge and it is displayed in Table 26-14. The state child welfare agency had no placement or compact information available at the time of this study. The state education agency reported that none of the 15 children placed out of state in 1978 were sent with compact use. The state juvenile justice agency reported only six children were placed out of Missouri with the use of an interstate compact, a far smaller number than reported by local agencies in Table 26-13.

TABLE 26-14. MISSOURI: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice
Total Number of State and Local Agency-Arranged Placements	*	15	131
Total Number of Compact-Arranged Placements Reported by State Agencies	*	0	6
Percentage of Compact-Arranged Placements	*	0	5

* denotes Not Available.

E. The Out-of-State Placement Practices of State Agencies

The placement information provided for state agencies in Table 26-2 is expanded in the following Table 26-15 by displaying the number of children placed by the agencies, listed by the type of involvement undertaken by the agencies in the placement process. Table 26-15 indicates that there was no placement information available from the DSS' Division of Family Services.

The 15 education placements which were state arranged and funded, upon referral from local school districts, are shown in the second column and the DESE was able to rule out any other types of involvement. The Division of Youth Services in the DSS and the Department of Mental Health were also able to thoroughly describe their involvement in out-of-state placements, with the state juvenile justice agency being the only one reporting children placed out of state. However, this agency apparently did not have knowledge of the placements made by the local probation departments in Missouri.

TABLE 26-15. MISSOURI: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Arranged and Funded	*	15	2	0
Locally Arranged but State Funded	--	0	0	--
Court Ordered, but State Arranged and Funded	*	0	0	0
Subtotal: Placements Involving State Funding	*	15	2	0
Locally Arranged and Funded, and Reported to State	--	0	1	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	*	0	0	0
Other	*	0	3	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	*	15	6	0

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Destination information was sought from all state agencies in the same way as from local agencies placing more than four children out of state. Again, the destination of children placed by the state child welfare agency was not reported. The Department of Elementary and Secondary Education placed almost all of its children into the contiguous state of Kansas, except for one child sent to Pennsylvania. The Division of Youth Services sent children in small numbers to a total of five states, three of which are contiguous to Missouri: Illinois, Nebraska, and Oklahoma. Two other children went to Colorado and Utah.

TABLE 26-16. MISSOURI: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed		
	Child Welfare	Education	Juvenile Justice
Colorado		0	1
Illinois		0	1
Kansas		14	0
Nebraska		0	2
Oklahoma		0	1
Pennsylvania		1	0
Utah		0	1
Placements for Which Destinations Could Not be Reported by State Agencies	All	0	0
Total Number of Placements	*	15	6

* denotes Not Available.

The characteristics of children placed into other states by Missouri state agencies are included in Table 26-17. The data indicates that the Division of Youth Services placed only children who had been adjudicated delinquent. The Department of Elementary and Secondary Education reported placing children who were mentally, physically, and emotionally impaired, as well as those who had a history of being unruly/disruptive. The characteristics of children placed by the DSS' Division of Family Services were not reported.

TABLE 26-17. MISSOURI: CONDITIONS OF CHILDREN PLACED OUT-OF-STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]	
	Education	Juvenile Justice
Physically Handicapped	X	0
Mentally Handicapped	X	0
Developmentally Disabled	0	0
Unruly/Disruptive	X	0
Truants	0	0
Juvenile Delinquents	0	X
Emotionally Disturbed	X	0
Pregnant	0	0
Drug/Alcohol Problems	0	0

TABLE 26-17. (Continued)

Types of Conditions	Agency Type[a]	
	Education	Juvenile Justice
Battered, Abandoned, or Neglected	0	0
Adopted Children	0	0
Foster Children	0	0
Other	0	0

a. X indicates conditions reported.

Missouri state agencies also reported the out-of-state residential setting most frequently used in 1978 for the placements they reported. The DSS' Division of Family Services, despite being unable to report incidence of placements, noted that children were most frequently sent out of state to live with relatives. The DESE most often placed children in psychiatric hospitals outside of Missouri and the state juvenile justice agency reported using foster homes most frequently for its out-of-state placements in the reporting year.

Table 26-18 describes state agency expenditures for out-of-state placements by the source of funds that were used. The DESE spent only state funds for its placements, in the amount of $40,555. The Division of Youth Services did not report on the expenditures of local funds but was able to rule out the use of federal or other funds for out-of-state placements. In addition, the division said that $1,500 in state funds were spent to place children into other states in 1978. Information on the child welfare agency's expenditures for placements into other states was not reported.

TABLE 26-18. MISSOURI: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY STATE AGENCIES

Levels of Government	Expenditures, by AGENCY Type		
	Child Welfare	Education	Juvenile Justice
• State	*	$40,555	$1,500
• Federal	*	0	0
• Local	*	0	*
• Other	*	0	0
Total Reported Expenditures	*	$40,555	$1,500

* denotes Not Available.

F. State Agencies' Knowledge of Out-of-State Placements

The following Table 26-19 reviews the out-of-state placement involvement of Missouri public agencies and each state agencies' knowledge of this placement activity. Again, the DSS' Division of Family Services (the state child welfare agency) was unable to provide this information at the time of this study. The state education and mental health and mental retardation agencies both had complete knowledge of their own and, in the case of education, their local counterparts' out-of-state placements. The Division of Youth Services, as was seen in Table 26-13, reported that local agencies were involved in only one child's placement in 1978, and that five other children were known to have been placed in that year. These six children were only five percent of the total number of juvenile justice placements determined to have been arranged by Missouri local juvenile justice agencies.

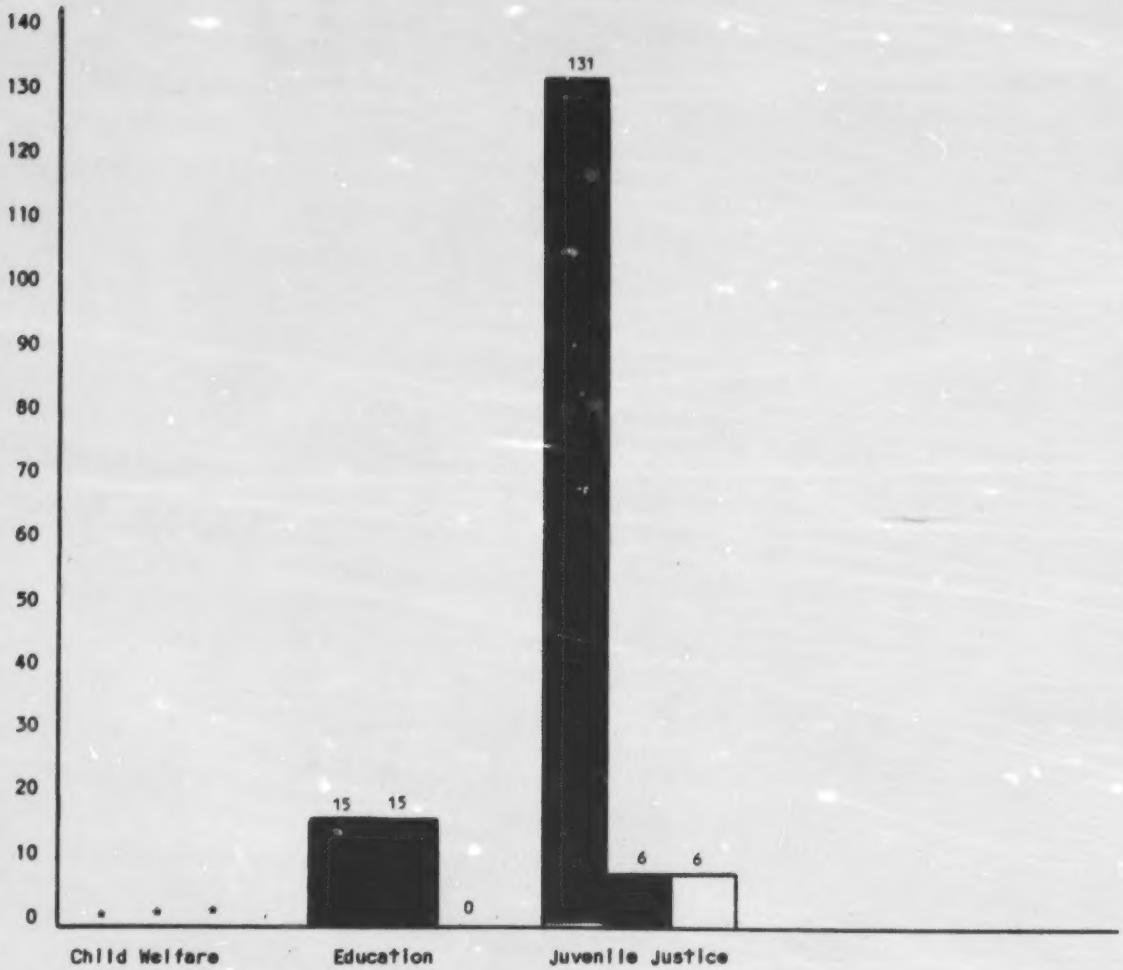
TABLE 26-19. MISSOURI: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	*	15	131	0
Total Number of Placements Known to State Agencies	*	15	6	0
Percentage of Placements Known to State Agencies	*	100	5	100

* denotes Not Available.

This lack of state agency knowledge of local agencies' placements is illustrated in Figure 26-15. Although state agencies are responsible for the administration of interstate compacts, the state juvenile justice agency's report of placement activity among local agencies did not reflect the 23 children reported to have been placed out of state with compact use in Table 26-13.

FIGURE 26-5. MISSOURI: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



* denotes Not Available.

State and Local Placements

State and Local Placements Known to State Agencies

State and Local Compact Arranged Placements Reported by State Agencies

V. CONCLUDING REMARKS

There are a few trends apparent in the preceding out-of-state placement findings which deserve mention. It should be noted that any conclusions drawn from this information are done so in the absence of any information from the DSS' Division of Family Services, which is the state child welfare agency providing foster, protective, and adoptive placement services throughout Missouri.

- The statutory prohibition against placements by local education agencies effectively blocked any involvement by those agencies in the practice at the local level in 1978. All education placements out of Missouri were made by the state agency.

- The state or local agency type most active in placing children out of Missouri, which participated in the survey, was the local juvenile justice agencies. Court probation offices throughout the state, especially in and around the border cities (Kansas City and St. Louis), place children into other states often without the involvement of other public agencies or interstate compacts. These children were most often sent to states contiguous to Missouri.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Missouri in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN NEW MEXICO

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Kathleen S. Houle, Staff Attorney, Department of Education; Marshall Fitz, Mental Health Bureau Chief, Department of Health and Environment; John Gabaldon, Chief, Developmental Disabilities Bureau, Department of Health and Environment; Joseph F. Mateju, Compact Administrator, Department of Health and Environment; Eduardo C. Lucero, Juvenile Compact Correspondent, and Jack Ortego, former Compact Correspondent, Chief of Juvenile Institutionalization, Corrections Division, Criminal Justice Department; Cathi Valdes, former Deputy Compact Administrator, Social Services Division, Department of Human Services; Leonard DeLayo, Superintendent of Public Instruction, Department of Education; and Larry Lucero, former Compact Administrator, Social Services Division, Department of Human Services.

II. METHODOLOGY

Information was systematically gathered about New Mexico from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in New Mexico appears below in Table 32-1.

TABLE 32-1. NEW MEXICO: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Agencies	Telephone interview Mailed Survey: DHS officials	Telephone interview Mailed Survey: DOE officials	Telephone interview Mailed Survey: CJD officials	Telephone interview Mailed Survey: DHE officials	Telephone interview Mailed Survey DHE officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: 10 percent sample of 88 school districts to verify state responses[a]	Telephone Survey: All 13 local probation departments	Not Applicable (State Offices)	Not Applicable (State Offices)

a. Information attributed in this profile to the state's school districts was gathered from the state education agency and the ten percent sample.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

New Mexico has the fifth largest land area (121,412 square miles) and is the 37th most populated state (1,143,827) in the United States. It has 14 cities with populations over 10,000 and seven cities with populations over 25,000. Albuquerque is the most populated city in the state, with over 250,000 people. Santa Fe, the capital, is the second most populated city in the state, with a population just under 50,000. New Mexico has 32 counties. The estimated 1978 population of persons eight to 17 years old was 231,427.

New Mexico has one Standard Metropolitan Statistical Area (SMSA), Albuquerque (which includes Bernalillo and Sandoval Counties). Its border states are Texas, Arizona, Utah, Colorado, and Oklahoma.

New Mexico was ranked 28th nationally in total state and local per capita expenditures, 14th in per capita expenditures for education, and 42nd in per capita expenditures for public welfare.[1]

B. Child Welfare

The Department of Human Services (DHS), Social Services Division (SSD), is responsible for child welfare services in New Mexico. Child welfare is a state-run system. The Social Services Division's Field Service Bureau supervises welfare branch offices in the 32 counties. The SSD also allocates funds to these offices to assist the out-of-state placement of children. The branch offices are required to report to the SSD the number of children placed out of state.

New Mexico is a member of the Interstate Compact on the Placement of Children (ICPC). New Mexico has been a member of the compact since 1977. The Social Services Division reportedly makes all out-of-state placements through the ICPC.

C. Education

The New Mexico Constitution establishes the State Board of Education (SBE), the governing authority exercising control, management, and direction of all public schools, except as otherwise provided by law (New Mexico Constitution, Article XII, 6). The State Board of Education is responsible for appointing a superintendent of public instruction. Subject to the policies of SBE and the supervision and direction of the state superintendent, the Department of Education is responsible for the supervision of educational program matters in New Mexico's 88 local school districts.

State financial support for public schools is the responsibility of a separate state agency, the Public School Finance Division of the Department of Finance and Administration (DFA). DFA is an executive-branch agency whose secretary is appointed by the governor and serves as a member of the governor's cabinet.

It was reported by the Department of Education that the school districts would not place children out of state without authorization and funding from the Department of Education. Special education funding of the local school districts comes from the DFA as a component of the state funding formula for local districts. New Mexico statute 22-13-8 specifically provides authority to the Superintendent of Public Instruction to review and approve individual pupil programs.

Local school districts can make agreements with nonprofit educational training centers and provide payment for such services. However, all agreements have to be approved by the state superintendent. The agreements must also acknowledge the authority and responsibility of the local board and the Department of Education to conduct on-site evaluations of programs and pupil progress to insure meeting state standards (Article 2, State Board of Education, Section 22-13-8).

The Department of Education and its local educational agencies can place physically handicapped children out of state. Department of Education personnel report that the placements are usually initiated by local school boards but funded by the state.

D. Juvenile Justice

According to information provided by the Corrections Division of the Criminal Justice Department (CJD), New Mexico is divided into 13 judicial districts serving 32 counties. Each district has its own probation services. Matters relating to dependent, neglected, and delinquent children are under the jurisdiction of these district courts in New Mexico. Adjudicated delinquents needing continued care and supervision are referred to the CJD which is responsible for all adult and juvenile institutions.

Parole decisions are handled by the Juvenile Parole Board within the state Criminal Justice Department and parole services are administered by the Juvenile Field Services Office of the Corrections Division. Juvenile probation is the responsibility of the juvenile section of the district courts and their respective court services staff. State, county, and city juvenile detention facilities are monitored by the Bureau of Standards and Inspections under the Criminal Justice Department. The state currently is in the process of implementing community-based alternative programs for troubled youth.

The CJD reportedly only monitors probation- and parole- related out-of-state placements. Consequently, it is possible that any one of the 13 probation districts can place juveniles out of state without reporting the information to the CJD. Reportedly, the CJD does not have funds available to place juveniles in out-of-state residential facilities, foster homes, or adoptive settings.

New Mexico is a member of the Interstate Compact on Juveniles. New Mexico has been a member of the compact since 1973.

E. Mental Health and Mental Retardation

Mental health and mental retardation services are administered by two units of the Department of Health and Environment, the Mental Health Bureau (MHB) and the Developmental Disabilities Bureau (DDB). MHB provides mental health services to children through 42 field offices. It was reported that the MHB does not make placements out of state.

The DDB consists of several subcomponents, one of which is the administration of services through seven district offices to 30 community-based programs funded by the state. Another subcomponent of the DDB is the Los Lunas Hospital and Training School (LLHTS). The LLHTS is New Mexico's primary facility providing 24-hour residential care and training for the state's population whose needs cannot be met by existing family and community resources. The LLHTS takes on an active role in assisting communities and other agencies to develop services which will avoid institutional care by helping coordinate and develop community resources.

LLHTS also has a Community Services Evaluation Team, whose responsibilities include conducting home visits and community-based evaluations. These teams, in consultation with community resource persons, make assessments of the needs of the developmentally disabled and determines available local services. Recommendations may include referrals to a program close to the disabled person's home or interstate transfers. These transfers are reportedly made through the Interstate Compact on Mental Health (ICMH). New Mexico has been a member of the compact since 1969.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

This section of the profile presents the results of the survey of state and local agencies in New Mexico. The information has been collected and organized to address some of the major issues relevant to sending children out of their state of residence that were raised in Chapter 1.

A. The Number of Children Placed in Out-of-State Residential Settings

Before proceeding to the detailed findings from these agencies, a summary of the out-of-state placement activity that was discovered among all agencies is offered in Table 32-2. This information establishes the size of the cohort to which subsequent findings refer, and gives an indication of which public agencies were most responsible for out-of-state placements in 1978. The table indicates that the majority of out-of-state placements came from two agency types, one at each level of government. The state child welfare agency, the DHS' Social Services Division placed the most children out of New Mexico, and the district courts' probation offices were responsible for most of the other placements that were made. The DHE's Developmental Disabilities Bureau, the only other placing agency, was minimally involved in the practice compared to the other two agency types.

TABLE 32-2. NEW MEXICO: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type					
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation	Total
State Agency Placements[a]	209	0	0	0	7	216
Local Agency Placements	--	0	138	--	--	138
Total	209	0	138	0	7	354

-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 32-15 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 32-3 further focuses on local agency involvement by presenting incidence figures for each local agency in the state according to their county or counties of jurisdiction. Multicounty court jurisdictions are listed toward the end of the table. As stated in reference to the previous table, local probation offices were the only local agencies making out-of-state placements in 1978, and the Bernalillo County agency made the most placements by sending a total of 58 children into other states. This county contains Albuquerque and is one of the two counties contained in the state's only SMSA, which is named for that city. The other county in the Albuquerque SMSA is Sandoval County, and it, along with Valencia County, reported three out-of-state placements. Bordering that SMSA is the multicounty jurisdiction of Santa Fe, Los Alamos, and Rio Arriba which reported 20 out-of-state placements. Also placing more than ten children out of New Mexico were the court districts containing San Juan and McKinley Counties, which reported 21 placements, and Chaves, Eddy and Lea Counties, with a total of 14 children sent to other states. Six other district probation offices reported from two to seven children placed out of state and 25 of New Mexico's 32 counties are contained in the districts reporting placements. Four of the 18 counties which border other states or Mexico are not included in agency jurisdictions placing children across state lines.

TABLE 32-3. NEW MEXICO: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978
		Juvenile Justice
Bernalillo	69,036	58
Catron	396	--
Chaves	9,167	--
Colfax	2,474	--
Curry	8,523	--
De Baca	461	--
Dona Ana	16,367	3
Eddy	7,886	--
Grant	4,785	--
Guadalupe	1,075	--
Harding	207	--
Hidalgo	1,380	--
Lea	9,815	--
Lincoln	1,715	--
Los Alamos	3,631	--
Luna	3,056	--
McKinley	12,975	--
Mora	1,051	--
Otero	9,119	--
Quay	2,024	--
Rio Arriba	6,521	--
Roosevelt	2,620	--
Sandoval	5,053	--
San Juan	15,322	--
San Miguel	4,380	--
Santa Fe	12,558	--
Sierra	1,343	--
Socorro	1,939	--
Taos	4,214	--
Torrance	1,011	--
Union	999	--
Valencia	10,324	--

Table 32-3 (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978 Juvenile Justice
Multicounty Jurisdictions		
Colfax, Union, Taos		0
Santa Fe, Los Alamos, Rio Arriba		20
Mora, Guadalupe, San Miguel		2
Lea, Eddy, Chaves		14
Grant, Luna, Hidalgo		5
Socorro, Catron, Sierra, Torrance		0
Curry, Roosevelt		2
McKinley, San Juan		21
Lincoln, Otero		7
Sandoval, Valencia		3
Quay, De Baca, Harding		3
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		138
Total Number of Local Agencies Reporting		13

-- denotes Not Applicable.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

The first piece of information to be presented on local agency practices describes the involvement of local agencies in placing children into other states. Table 32-4 indicates that all local agencies contacted in the course of the survey agreed to participate and were able to report on their placement practices. None of the 88 local school districts placed children out of New Mexico and all but two of the juvenile justice agencies were involved in this practice.

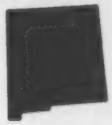


TABLE 32-4. NEW MEXICO: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type	
	Education	Juvenile Justice
Agencies Which Reported Out-of-State Placements	0	11
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0	0
Agencies Which Did Not Place Out of State	88	2
Agencies Which Did Not Participate in the Survey	0	0
Total Local Agencies	88	13

Those local New Mexico agencies not placing children into other states explained why they had not done so. Table 32-5 shows that the school districts from which information was collected answered that New Mexico had sufficient in-state services to meet their students' needs. The two juvenile justice agencies not involved in placing children outside New Mexico in 1978 also noted the presence of sufficient services in the state and one of these agencies also said the lack of funds acted as a deterrent to out-of-state placements.

TABLE 32-5. NEW MEXICO: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)	
	Education	Juvenile Justice
Lacked Statutory Authority	0	0
Restricted	0	0
Lacked Funds	0	1
Sufficient Services Available in State	88	2
Other[b]	2	0
Number of Agencies Reporting No Out-of-State Placements	88	2
Total Number of Agencies Represented in Survey	88	13

a. Some Agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

The extent to which the local courts enlisted the aid and assistance of other public agencies in the course of placing children into other states is reported in Table 32-6. About two-thirds of the juvenile justice agencies reported this type of cooperation to have occurred at least once in 1978. The involvement of other agencies was brought to bear on the placement of 45 percent of all children reported sent out of New Mexico by local agencies in 1978.

TABLE 32-6. NEW MEXICO: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type	
	Juvenile Justice	
	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	11	85
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	7	64
Number of CHILDREN Placed Out of State	138	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	62	45

a. See Table 32-4.

The juvenile probation agencies involved in out-of-state placements described the children going into other states according to the list of characteristics included in Table 32-7. All but one of the agencies placing children out of New Mexico in 1978 said that placements involved those determined to be unruly/disruptive or delinquent. A majority of the 11 agencies also indicated that children who were truant and those with a history of substance abuse were also placed out of state in 1978. Lesser responses were given to six other characteristics, including mental, developmental, or emotional impairment; pregnant; battered, abandoned, or neglected; adopted; and having special education needs.

TABLE 32-7. NEW MEXICO: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting
	Juvenile Justice
Physically Handicapped	0
Mentally Retarded or Developmentally Disabled	4
Unruly/Disruptive	10
Truant	7
Juvenile Delinquent	10
Mentally Ill/Emotionally Disturbed	4
Pregnant	3

TABLE 32-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting Juvenile Justice
Drug/Alcohol Problems	6
Battered, Abandoned, or Neglected	3
Adopted	2
Special Education Needs	5
Multiple Handicaps	0
Other	0
Number of Agencies Reporting	11

a. Some agencies reported more than one type of condition.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of New Mexico's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local juvenile justice agencies which reported arranging five or more out-of-state placements in 1978.

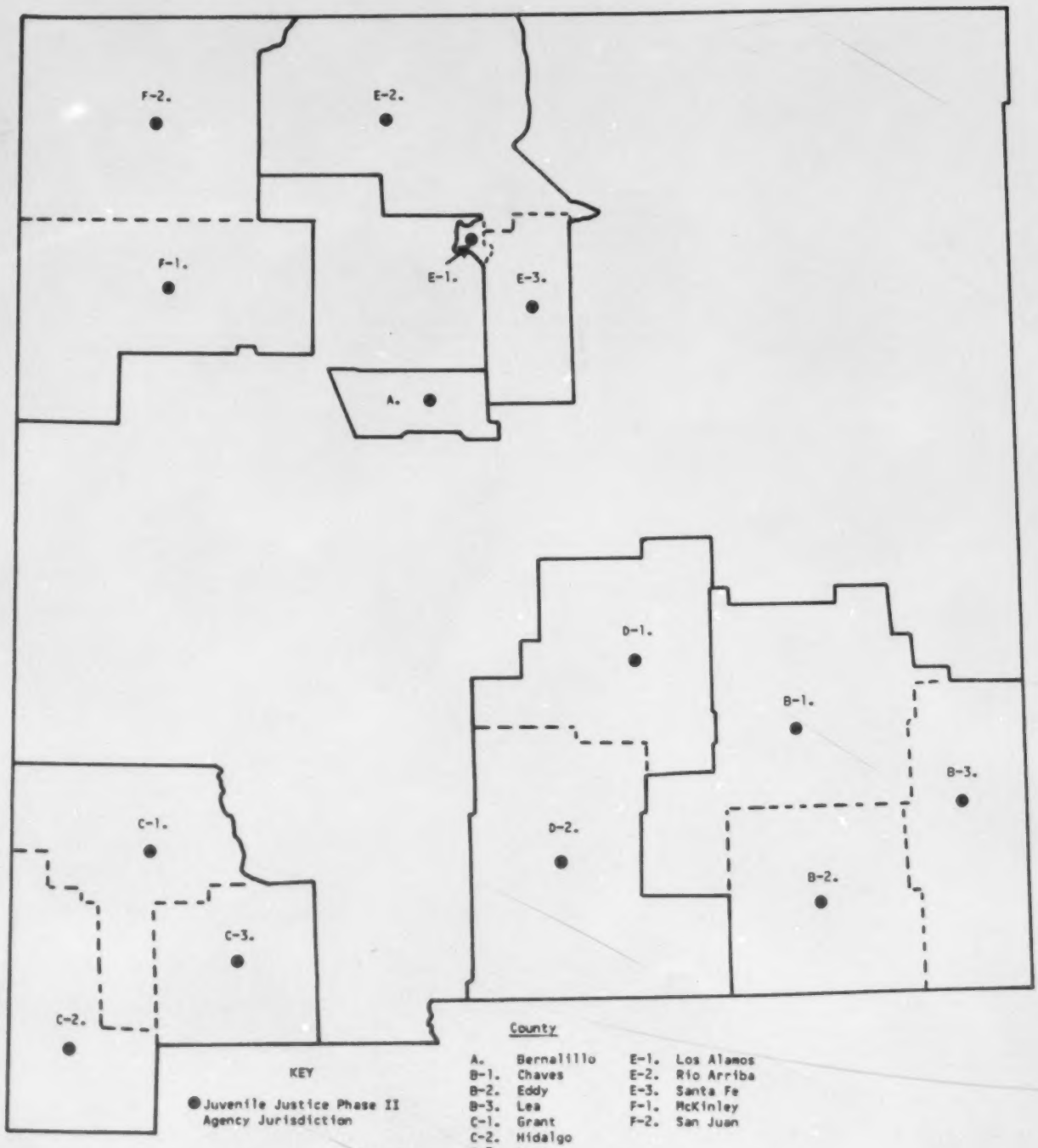
The relationship between the number of local juvenile justice agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 32-1. Six (55 percent) of the 11 placing agencies were in the Phase II category. They reported arranging 91 percent of all the local juvenile justice placements made in the reporting year. Clearly, the detailed information to be reported on the practices of these Phase II agencies is descriptive of the majority of out-of-state placements arranged by New Mexico's local agencies in 1978.

FIGURE 32-1. NEW MEXICO: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Juvenile Justice
Number of AGENCIES	13
Number of AGENCIES Reporting Out-of-State Placements in 1978	11
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	6
Number of CHILDREN Placed Out of State in 1978	138
Number of CHILDREN Placed by Phase II Agencies	125
Percentage of Reported Placements in Phase II	91

The geographic location of the counties served by these Phase II juvenile justice agencies is illustrated in Figure 32-2, showing a clustering in three corners of the state, obviously on several state borders. The single New Mexico SMSA, comprised of Bernalillo and Sandoval Counties, is served by two of these Phase II agencies.

FIGURE 32-2. NEW MEXICO: COUNTY LOCATION OF LOCAL PHASE II AGENCIES



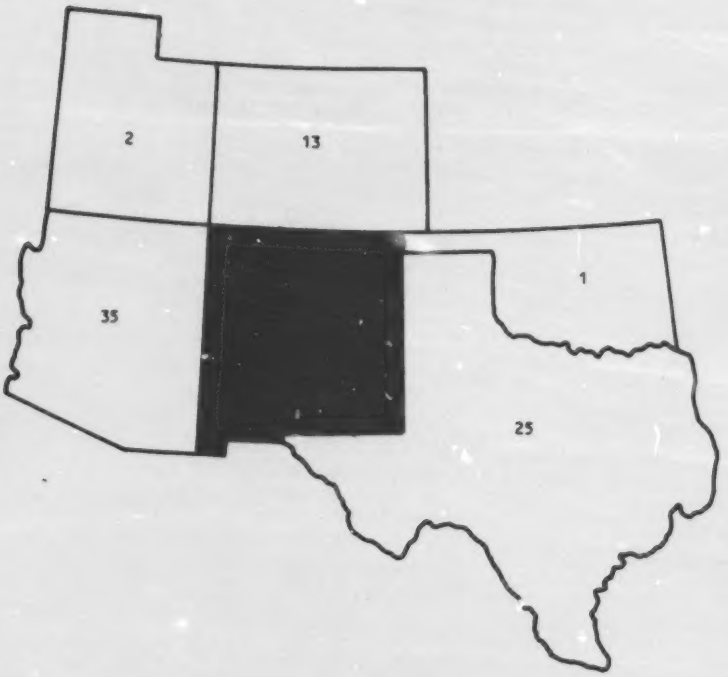
Local Phase II juvenile justice agencies were asked to specify the number of children that went to each receiving state and their responses are summarized in Table 32-8. Settings in Arizona received the largest number of children (35) from the New Mexico district probation offices, followed by those selected in California, which received 27 New Mexico children in 1978. Texas and Colorado also received more than ten children from these agencies, with 25 and 13 children going to these states, respectively. Remaining placements were made to nine other states in numbers ranging from one to four children and the most distant among these were Alaska and Maryland.

TABLE 32-8. NEW MEXICO: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed Juvenile Justice
Alaska	1
Arizona	35
Arkansas	2
California	27
Colorado	13
Illinois	1
Kansas	1
Maryland	1
Nebraska	4
Oklahoma	1
Texas	25
Utah	2
Wyoming	1
Placements for Which Destinations Could Not be Reported by Phase II Agencies	11
Total Number of Phase II Agencies	6
Total Number of Children Placed by Phase II Agencies	125

Figure 32-3 presents the number of local Phase II juvenile justice placements that were made to settings in states contiguous to New Mexico. Arizona received the most New Mexico children among these states, with a total of 35. Placements to states bordering New Mexico account for 67 percent of all those made by agencies placing more than four children for whom destinations were reported.

FIGURE 32-3. NEW MEXICO: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO NEW MEXICO BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II juvenile justice agencies reported destinations for 114 children.

The six Phase II juvenile justice agencies were asked to explain why these placements occurred. In Table 32-9, these agencies' responses show that all responding agencies placed children out of state to live with relatives other than parents. Four agencies also reported that the lack of services in New Mexico comparable to those in other states was a reason for placing children out of state. One-half of the probation offices said that children were placed into other states because of previous successes with certain out-of-state programs, as well as an alternative to public institutionalization in New Mexico. Fewer responses were given to the three reasons available for explanation.

TABLE 32-9. NEW MEXICO: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	1
Previous Success with Receiving Facility	3
Sending State Lacked Comparable Services	4
Standard Procedure to Place Certain Children Out of State	2
Children Failed to Adapt to In-State Facilities	2
Alternative to In-State Public Institutionalization	3
To Live with Relatives (Non-Parental)	6
Other	2
Number of Phase II Agencies Reporting	6

a. Some agencies reported more than one reason for placement.

The same agencies reporting reasons for out-of-state placements also reported what type of setting was most frequently selected in 1978 to receive children leaving the state. Their responses appear in Table 32-10. Four of these probation offices most often sent children to live with relatives other than parents and the other two most frequently placed children into group homes in other states.

TABLE 32-10. NEW MEXICO: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Residential Settings	Number of AGENCIES Reporting Juvenile Justice
Residential Treatment/Child Care Facility	0
Psychiatric Hospital	0
Boarding/Military School	0
Foster Home	0
Group Home	2
Relative's Home (Non-Parental)	4
Adoptive Home	0
Other	0
Number of Phase II Agencies Reporting	6

Juvenile probation offices placing more than four children across state lines in 1978 further described the methods they used to monitor their progress while in placement, and the frequency with which these methods were employed. Table 32-11 summarizes the monitoring practices of these agencies. Three of the responding local offices receive written reports at intervals other than those specified in the table, and three of them also said that court services personnel make annual visits to children in out-of-state placement. The remaining nine responses by these agencies are distributed among the methods and time intervals, with not more than two of the agencies giving any particular response.

TABLE 32-11. NEW MEXICO: MONITORING PRACTICES FOR OUT-OF STATE PLACEMENTS AS REPORTED BY NEW MEXICO LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a] Juvenile Justice
Written Progress Reports	Quarterly	1
	Semiannually	1
	Annually	0
	Other[b]	3
On-Site Visits	Quarterly	1
	Semiannually	0
	Annually	3
	Other[b]	0
Telephone Calls	Quarterly	1
	Semiannually	1
	Annually	0
	Other[b]	2
Other	Quarterly	2
	Semiannually	0
	Annually	0
	Other[b]	0
Total Number of Phase II Agencies Reporting		6

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

Finally, all six of the Phase II juvenile justice agencies reported spending no public funds for the 125 placements they made in 1978.

D. Use of Interstate Compacts by State and Local Agencies

An issue of particular importance to a study about the out-of-state placement of children concerns the extent to which interstate compacts are utilized to arrange such placements. Table 32-12 reports overall findings about the use of compacts in 1978 by local agencies which arranged out-of-state placements. Information is given to facilitate a comparison between agencies with four or less and five or more placements (Phase II). In addition, the specific type of compact which was used by Phase II juvenile justice agencies is reported in Table 32-12.

Consideration of compact utilization by New Mexico local juvenile justice agencies shows that eight (73 percent) of the 11 placing agencies reported utilizing an interstate compact in 1978. The four Phase II agencies reporting compact use were one agency which utilized the Interstate Compact on the Placement of Children and three which arranged placements through the Interstate Compact on Juveniles.

TABLE 32-12. NEW MEXICO: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	5
• Number Using Compacts	4
• Number Not Using Compacts	1
• Number with Compact Use Unknown	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	6
• Number Using Compacts	4
Interstate Compact on the Placement of Children	
Yes	1
No	5
Don't Know	0
Interstate Compact on Juveniles	
Yes	3
No	2
Don't Know	1
Interstate Compact on Mental Health	
Yes	0
No	6
Don't Know	0
• Number Not Using Compacts	2
• Number with Compact Use Unknown	0
TOTALS	
Number of AGENCIES Placing Children Out of State	11
Number of AGENCIES Using Compacts	8
Number of AGENCIES Not Using Compacts	3
Number of AGENCIES with Compact Use Unknown	0

Table 32-13 provides additional information about the utilization of interstate compacts by New Mexico local agencies. This table is organized similar to Table 32-12, but reports findings about the number of children who were or were not placed out of state with a compact. In total, 92 (or 74 percent) of the 125 children for whom compact use could be determined were reported placed in other states without a compact, 73 percent of the placing agencies which reported utilizing a compact in 1978. Further study of this table helps to explain this fact. Only 29 of the 125 children placed out of state by Phase II agencies were sent with the use of a compact. Five of these placements were arranged through the Interstate Compact on the Placement of Children and 23 through the Interstate Compact on Juveniles.

TABLE 32-13. NEW MEXICO: NUMBER OF PLACEMENTS AND THE UTILIZATION INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	13
• Number Placed with Compact Use	4
• Number Placed without Compact Use	2
• Number Placed with Compact Use Unknown[a]	7
CHILDREN PLACED BY PHASE II AGENCIES	125
• Number Placed with Compact Use	29
Number through Interstate Compact on the Placement of Children	5
Number through Interstate Compact on Juveniles	23
Number through Interstate Compact on Mental Health	0
• Number Placed without Compact Use	90
• Number Placed with Compact Use Unknown	6
TOTALS	
Number of CHILDREN Placed Out of State	138
Number of CHILDREN Placed with Compact Use	33
Number of CHILDREN Placed without Compact Use	92
Number of CHILDREN Placed with Compact Use Unknown	13

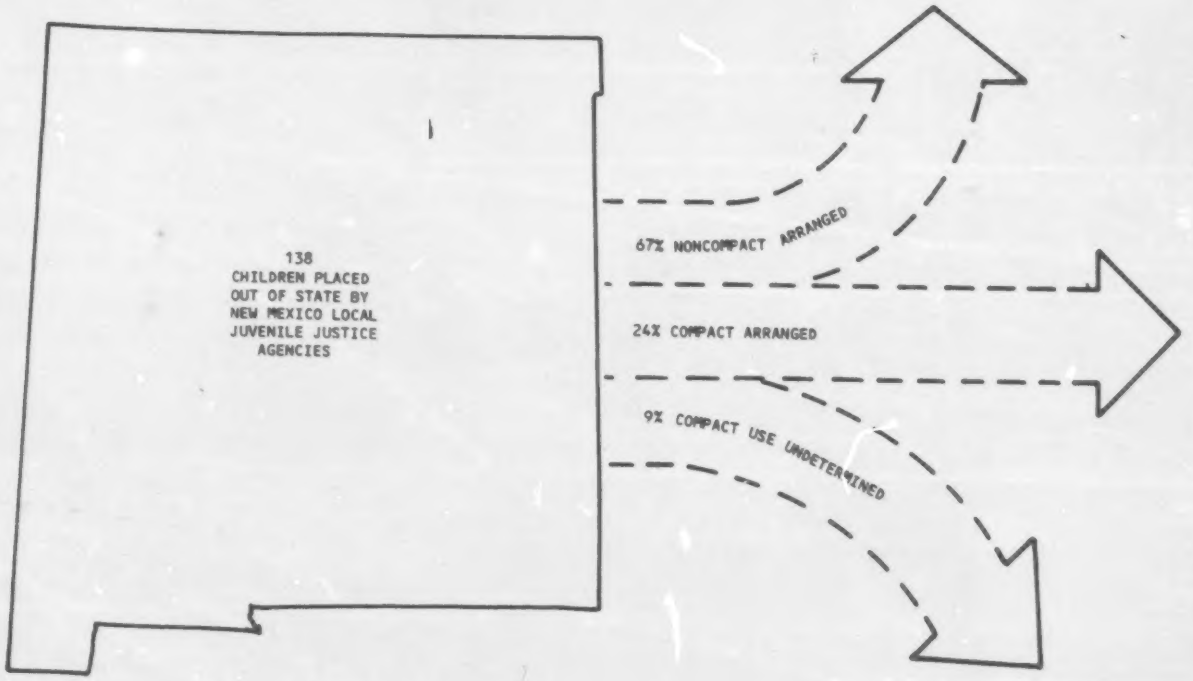
TABLE 32-13. (Continued)

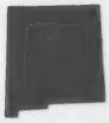
a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

b. If an agency reported using a compact but could not report the number of placements arranged through the specific compact, one placement is indicated as compact-arranged and the others are included in the category "number placed with compact use unknown."

A graphic summarization of these findings about local agency utilization of interstate compacts in New Mexico is illustrated in Figure 32-4. This figure illustrates the percentage of placements arranged by juvenile justice agencies which were compact arranged, noncompact arranged, and undetermined with respect to compact use.

FIGURE 32-4. NEW MEXICO: UTILIZATION OF INTERSTATE COMPACTS BY NEW MEXICO LOCAL JUVENILE JUSTICE AGENCIES IN 1978





Several interesting findings appear in Table 32-14, where New Mexico state agencies' reports of interstate compact utilization are provided. First, all out-of-state placements reported by the state child welfare agency were arranged through a compact in 1978. In sharp contrast, none of the placements determined to be made by state and local juvenile justice agencies in New Mexico were processed by a compact, according to the state agency. However, Figure 32-4 illustrated that at least 24 percent of the locally reported placements were arranged in this manner.

Finally four of the seven children reported to have been placed out of state in 1978 by the state mental retardation agency were processed by a compact.

TABLE 32-14. NEW MEXICO: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Juvenile Justice	Mental Retardation
Total Number of State and Local Agency-Arranged Placements	209	138	7
Total Number of Compact-Arranged Placements Reported by State Agencies	209	0	4
Percentage of Compact-Arranged Placements	100	0	57

E. The Out-of-State Placement Practices of State Agencies

The state agency placement information that was introduced in Table 32-2 is expanded in Table 32-15, with the incidence of out-of-state placement in 1978 for each state agency broken down by the type of involvement the agency undertook in the placements. The table indicates that the majority of the 209 placements reported by the DHS' Social Services Division were both arranged and funded by that agency. Involvement was reported in 20 placements which the agency helped to arrange without having explicit legal or financial responsibility and an additional nine placements were known to the state agency.

The only other out-of-state placements reported by a New Mexico state agency were seven children placed by the DHE Developmental Disabilities Bureau, one which was arranged and funded, three which the agency helped to arrange, and three which involved both the state agency and parents in the placement process.

TABLE 32-15. NEW MEXICO: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Arranged and Funded	180	0	0	0	1
Locally Arranged But State Funded	--	0	0	--	--
Court Ordered, But State Arranged and Funded	0	0	0	0	0
Subtotal: Placements Involving State Funding	180	0	0	0	1
Locally Arranged and Funded, and Reported to State	--	0	0	--	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	20	0	0	0	3
Other	0	0	0	0	3
Total Number of Children Placed Out of State With State Assistance or Knowledge[a]	209	0	0	0	7

-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

The destinations of children placed out of state by New Mexico state agencies are provided in Table 32-16. The DHS' Social Services Division reported a total of 31 states and Canada receiving the 209 children placed out of state in 1978. Five of these states are contiguous to New Mexico and they received 45 percent of all children placed by the agency. The 26 other receiving states are located throughout the country. All received less than seven children each, except for California which received ten New Mexico children from the child welfare agency. The seven out-of-state placements involving the DHE's Developmental Disabilities Bureau were to California, Texas, and Illinois, with the first two states receiving three children each.

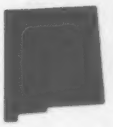


TABLE 32-16. NEW MEXICO: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed	
	Child Welfare	Mental Retardation
Alabama	3	0
Alaska	2	0
Arizona	15	0
Arkansas	5	0
California	10	3
Colorado	25	0
Florida	6	0
Illinois	5	1
Indiana	5	0
Iowa	2	0
Kansas	4	0
Kentucky	5	0
Louisiana	5	0
Michigan	5	0
Mississippi	3	0
Missouri	3	0
Montana	5	0
Nebraska	5	0
New Hampshire	5	0
New York	3	0
North Carolina	2	0
Ohio	5	0
Oklahoma	10	0
Oregon	3	0
Pennsylvania	5	0
South Carolina	2	0
Texas	30	3
Utah	15	0
Virginia	3	0
Washington	5	0
Wyoming	5	0
Canada	3	0
Placements for Which Destinations Could Not be Reported by State Agencies	0	0
Total Number of Placements	209	7

Characteristics selected by state agencies to describe children placed out of state in 1978 are summarized in Table 32-17. The DHS' Social Services Division indicated that children having every characteristic offered for description but truant, pregnant, and drug/alcohol problems were placed out of New Mexico in that year. These children, then, include youth with mental or physical handicaps, emotional disturbances, and adjudicated delinquents, in addition to the other characteristics indicated in the table.

The DHE's Developmental Disabilities Bureau described children placed into other states as physically, mentally, or developmentally handicapped.

TABLE 32-17. NEW MEXICO: CONDITIONS OF CHILDREN PLACED OUT OF STATE 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]	
	Child Welfare	Mental Retardation
Physically Handicapped	X	X
Mentally Handicapped	X	X
Developmentally Disabled	X	X
Unruly/Disruptive	X	0
Truants	0	0
Juvenile Delinquents	X	0
Emotionally Disturbed	X	0
Pregnant	0	0
Drug/Alcohol Problems	0	0
Battered, Abandoned, or Neglected	X	0
Adopted Children	X	0
Foster Children	X	0
Other	0	0

a. X indicates conditions reported.

The settings most frequently selected to receive children placed by the New Mexico child welfare agency were the homes of relatives other than parents. The state mental retardation agency most often placed children into residential treatment or child care facilities in 1978.

Finally, in response to requests by the study for information on public expenditures in 1978 for out-of-state placements by the source of funds, the DHS' Social Services Division reported that the data was not available. The DHE's Developmental Disabilities Bureau reported spending a total of $300 in state funds.

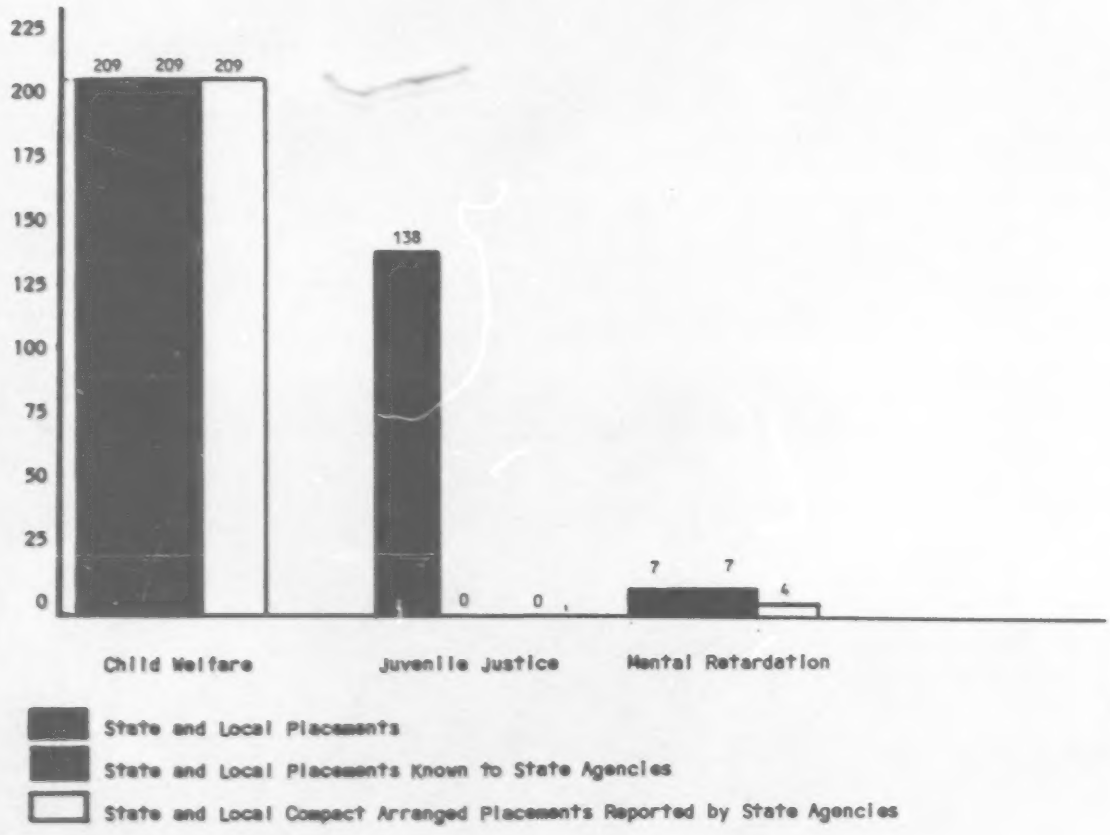
F. State Agencies' Knowledge of Out-of-State Placements

Services for children are primarily operated by state government in New Mexico, and Table 32-18 reflects these agencies' overall knowledge of out-of-state placement activity within the state. All state agencies, with the exception of juvenile justice, provided a complete report of their own placement activity and their local counterparts, when applicable. In the case of juvenile justice, the state agency said there were no state-arranged placements in 1978 and inaccurately reported the absence of local out-of-state placements. This agency was responsible for the administration of the Interstate Compact on Juveniles and, as shown in Figure 32-5, reported no compact utilization by the state or local agencies, when at least 24 percent of the locally arranged placements identified by the local survey were reported to be compact processed.

TABLE 32-18. NEW MEXICO: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Total Number of State and Local Agency Placements	209	0	138	0	7
Total Number of Placements Known to State Agencies	209	0	0	0	7
Percentage of Placements Known to State Agencies	100	100	0	100	100

FIGURE 32-5. NEW MEXICO: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

Some of the major findings from the foregoing description of the 1978 out-of-state placement practices of New Mexico public agencies appear below. Particularly evident among public agency reports was the state juvenile justice agency's lack of information about local agencies' placement activity.

- The out-of-state placement of children is localized in terms of agency type and level of government. The state child welfare agency and the local district probation offices are heavily engaged in the practice to the near exclusion of all other agencies.

- Local juvenile justice agencies used bordering states, especially Arizona and Texas, to receive most children placed out of state. These children usually left New Mexico without the involvement of interstate compacts and were often considered status offenders or were adjudicated delinquents.

- The state child welfare agency was involved in placing children out of New Mexico with a very wide variety of problems, using settings in 31 states and Canada for this purpose in 1978. In contrast to the local juvenile justice agencies, bordering states received less than one-half of all state child welfare placements in that year.

- The state education agency was able to accurately report the placement activity of local school districts in 1978. This awareness of no local out-of-state placements occurring in that year reflects a strong regulatory ability on the part of the state agency.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in New Mexico in order to develop futher conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN OKLAHOMA

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Lloyd Rader, Director, Department of Institutions, Social and Rehabilitative Services; Pauline Mayer and Amanda Rogers, Administrative Assistants to the Director, Department of Institutions, Social and Rehabilitative Services; Bill Harris, Director of Accreditation, Department of Education; Bill Fink, Deputy Compact Administrator, Department of Institutions, Social and Rehabilitative Services; and John Holt, Deputy Director of Hospital Services, Department of Mental Health.

II. METHODOLOGY

Information was systematically gathered about Oklahoma from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Oklahoma appears below in Table 37-1.

TABLE 37-1. OKLAHOMA: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone interview	Telephone interview	Telephone interview	Telephone interview
	Mailed Survey: DISRS official	Mailed Survey: DOE officials	Mailed Survey: DISRS officials	Mailed Survey: DMH and DISRS officials
Local Agencies	Not Applicable (State Offices)	Telephone[a] Survey: All 621 local school districts	Telephone Survey: All 3 local probation departments	Not Applicable (State Offices)

a. The telephone survey was conducted by the Oklahoma League of Women Voters of Bartlettsville under a subcontract to the Academy.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Oklahoma has the 19th largest land area (68,782 square miles) and is the 27th most populated state (2,711,263) in the United States. It has 30 cities with populations over 10,000 and eight cities with populations over 30,000. Oklahoma City, the capital, is the most populated city in the state, with a population of over 360,000. Oklahoma has 77 counties. The estimated 1978 population of persons eight to 17 years old was 457,194.

Oklahoma has four Standard Metropolitan Statistical Areas (SMSAs). One of the SMSAs includes a portion of a contiguous state, Arkansas. Other contiguous states are Texas, New Mexico, Colorado, Kansas, and Missouri.

Oklahoma was ranked 40th nationally in total state and local per capita expenditures, 36th in per capita expenditures for education, and 22nd in per capita expenditures for public welfare.[1]

B. Child Welfare

In Oklahoma, the Department of Institutions, Social and Rehabilitative Services (DISRS) is an umbrella agency which administers services for the mentally retarded, crippled children's services, institutional services, and protective and correctional services through several administrative divisions. The Division of Child Welfare is responsible for protective, foster, and adoptive services to dependent, neglected, and other children in need of service. The department has offices located in all 77 counties under the direct administration of the state. Information on the out-of-state placement of children is collected centrally by the administrator of the Interstate Compact on the Placement of Children (ICPC). Oklahoma has been a member of the compact since 1974.

C. Education

Oklahoma's Department of Education (DOE) has the major responsibility for its educational system. The DOE, through local school districts, offers special services for the mentally retarded as well as the normal curriculum for grades K-12. According to DOE personnel, the department does not collect statewide data on and does not participate in the placement of children out of state. This practice is reportedly carried out solely at the local school district level.

D. Juvenile Justice

Twenty-four district courts in Oklahoma hold jurisdiction over dependent, neglected, and delinquent children in the 77 counties. Some adjudicated delinquents are reportedly placed in the custody of the Bureau of Institutions and Community Services to Children and Youth (BICSCY), an agency of the Department of Institutions, Social and Rehabilitative Services.

The BICSCY maintains seven facilities for juveniles and provides intake, probation, and parole services statewide, except for three metropolitan counties: Oklahoma, Tulsa, and Comanche Counties supply their own court-operated probation services. All out-of-state placements of delinquents are reportedly made pursuant to the provisions of the Interstate Compact on Juveniles (ICJ). Oklahoma has been a member of the compact since 1967.

E. Mental Health and Mental Retardation

The Department of Mental Health (DMH) operates the mental health programs in Oklahoma. The department's duties include the operation of three public community mental health centers and the establishment of standards for five private mental health centers. Institutional services for the mentally retarded are handled through the Service for the Mentally Retarded Unit of the DISRS executive office. DMH administers the Interstate Compact on Mental Health (ICMH) which was enacted in 1959.

F. Recent Developments

Since 1975, Oklahoma has pursued a policy of deinstitutionalization of status and nonserious offenders and has reduced institutional occupancy by 49 percent. In addition, the Bureau of Institutions and Community Services to Children and Youth has aided the development of youth services in 40 communities to divert troubled youth from the juvenile justice system.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

This section of the Oklahoma profile presents the results of the survey of state and local agencies in that state. The information collected, and its tabular organization, recalls some of the major issues relevant to the out-of-state placement of children that were introduced in Chapter 1.

A. The Number of Children Placed in Out-of-State Residential Settings

Before proceeding to the detailed findings of the study, Table 37-2 provides an introductory overview of the number of out-of-state placements that were discovered among state and local agencies. The data in this table gives an indication of the number of children leaving the state from both state and local public agencies in 1978, by agency type.

The DISRS' Division of Child Welfare reported having knowledge of 766 out-of-state placements made in 1978. The DISRS' Bureau of Institutional and Community Services for Children and Youth was involved in the placement of 87 children. The three independent local probation agencies which serve urban areas of the state reported placing 36 children across state lines. In the education sector, only five out-of-state placements were made by local school districts. No placements were made by the Departments of Education or Mental Health. There are no child welfare or mental health and mental retardation agencies operated under the auspices of local government in Oklahoma.

TABLE 37-2. OKLAHOMA: NUMBERS OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Total
State Agency Placements[a]	766	0	87	0	853
Local Agency Placements	--	5	36	--	41
Total	766	5	123	0	894

* denotes Not Available.
-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 37-14 for specific information regarding state agency involvement in arranging out-of-state placements.

The out-of-state placement practices of local agencies are further specified in Table 37-3, where each Oklahoma county or multicounty area served by one of the agencies is listed with the incidence of out-of-state placement from the jurisdiction. Because there is more than one school district in each county, the responses of the districts contained by a county have been aggregated for a single report from that area. School districts in Adair and Logan Counties reported a total of five out-of-state placements. Two Adair County districts reported four of these placements. This county is located on Oklahoma's eastern border with Arkansas and adjoins the Oklahoma counties included in the Fort Smith, Arkansas, SMSA.

All three local probation agencies in Oklahoma operate in the counties which contain the primary cities of the state's SMSAs. The Comanche County agency is operated out of Lawton, and reported placing three children into other states. The Oklahoma County agency reported the most out-of-state placements of any local agency, with 25 children placed out of state in 1978. This agency serves Oklahoma City and its surrounding suburbs. The Tulsa County juvenile justice agency serves the City of Tulsa and the surrounding area and reported eight children placed into other states.

TABLE 37-3. OKLAHOMA: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Adair	3,231	4 est	--
Alfalfa	970	0	--
Atoka	1,892	0	--
Beaver	1,004	0	--
Beckham	2,288	0	--

TABLE 37-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Blaine	1,879	0	--
Bryan	3,883	0	--
Caddo	5,820	0	--
Canadian	7,522	0	--
Carter	6,859	0	--
Cherokee	4,377	0	--
Choctaw	3,139	0	--
Cimarron	705	0	--
Cleveland	16,599	0	--
Coal	994	0	--
Comanche	19,139	0	3
Cotton	1,042	0	--
Craig	2,128	0	--
Creek	8,942	0	--
Custer	3,100	0	--
Delaware	3,438	0	--
Dewey	907	0	--
Ellis	855	0	--
Garfield	9,445	0	--
Garvin	4,499	*	--
Grady	5,833	0	--
Grant	998	0	--
Greer	1,045	0	--
Harmon	721	0	--
Harper	816	0	--
Haskell	1,648	0	--
Hughes	2,120	0	--
Jackson	6,457	0	--
Jefferson	1,181	0	--
Johnston	1,262	0	--
Kay	7,396	0	--
Kingfisher	2,381	0	--
Kiowa	1,808	0	--
Latimer	1,563	0	--
Le Flore	6,156	0	--
Lincoln	3,721	0	--
Logan	3,678	1	--
Love	1,093	0	--
McClain	3,435	0	--
McCurtain	7,325	0	--
McIntosh	2,039	0	--
Major	1,379	0	--
Marshall	1,360	0	--
Mayes	4,496	0	--
Murray	1,631	0	--
Muskogee	10,694	0	--
Noble	1,805	0	--
Nowata	1,684	0	--
Okfuskee	2,066	*	--
Oklahoma	90,251	0	25

TABLE 37-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Okmulgee	5,805	0	--
Osage	5,146	0	--
Ottawa	4,916	0	--
Pawnee	1,977	0	--
Payne	6,776	0	--
Pittsburg	5,724	0	--
Pontotoc	4,467	*	--
Pottawatomie	8,266	*	--
Pushmataha	1,998	0	--
Roger Mills	729	0	--
Rogers	6,417	0	--
Seminole	4,673	0	--
Sequoyah	5,379	0	--
Stephens	6,091	0	--
Texas	3,151	0	--
Tillman	2,230	0	--
Tulsa	72,885	0	8
Wagoner	5,071	0	--
Washington	6,618	0	--
Washita	2,021	0	--
Woods	1,362	0	--
Woodward	2,793	0	--
Multicounty Jurisdictions			
Creek, Pawnee			
Okmulgee, McIntosh			
McIntosh, Muskogee			
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		5 est	36
Total Number of Local Agencies Reporting		621	3

* denotes Not Available.
-- denotes Not Applicable.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

As previously indicated, the agencies under the auspices of local government in Oklahoma that provide services to children include 621 school districts and the three local probation departments in Comanche,

Oklahoma, and Tulsa Counties. The involvement of these agencies in placing children out of Oklahoma is presented in Table 37-4. Only three of the over 600 school districts were involved in placing children into other states, and four districts agreed to participate in the survey but were not able to report on their involvement in out-of-state placement in 1978. All three local probation agencies reported placing children into other states.

TABLE 37-4. OKLAHOMA: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type	
	Education	Juvenile Justice
Agencies Which Reported Out-of-State Placements	3	3
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	4	0
Agencies Which Did Not Place Out of State	614	0
Agencies Which Did Not Participate in the Survey	0	0
Total Local Agencies	621	3

Only local education agencies reported making no placements into other states in 1978 and the reasons they reported for the absence of such placements are included in Table 37-5. About one-fourth of the local education agencies reported that no out-of-state placements were made because of the lack of funds for that purpose. About three-fourths of the school districts said that sufficient services were available in Oklahoma to meet children's needs. About one-half of the nonplacing agencies (315) reported "other" reasons for not placing children out of Oklahoma. Forty of these districts said such placements were against agency policy. Five or fewer agencies reported parental disapproval, lack of knowledge about other states' resources, and excessive "red-tape" as reasons for keeping children in Oklahoma. The absence of any problem that would warrant out-of-state placement, however, was the most frequent of the "other" responses.

TABLE 37-5. OKLAHOMA: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reasons(s)
	Education
Lacked Statutory Authority	16
Restricted[b]	2
Lacked Funds	141
Sufficient Services Available in State	453
Other[c]	315
Number of Agencies Reporting No Out-of-State Placements	614
Total Number of Agencies Represented in Survey	621

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

The extent to which local placements involved other public agencies in out-of-state placement decisionmaking and processing is presented in Table 37-6. All placing school districts reported cooperating with other public agencies in the course of making each out-of-state placement. Two of the three probation departments cooperated with other public agencies to place 17 percent of all children leaving the state from these local juvenile justice agencies.

TABLE 37-6. OKLAHOMA: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type			
	Education		Juvenile Justice	
	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	3	0.5	3	100
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	3	100	2	67
Number of CHILDREN Placed Out of State	5	100	36	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	5	100	6	17

Local agencies were asked to describe children sent to settings in other states according to the list of characteristics shown in Table 37-7. Local education agencies did not mention the presence of handicaps or special education needs, but did indicate that the conditions of children placed into other states were pregnant and battered, abandoned, or neglected children, with some children having characteristics not included in the list.

Local probation departments placed children with a variety of characteristics out of Oklahoma in 1978: unruly/disruptive, truant, delinquent, having a history of substance abuse, requiring special education, and battered, abandoned, or neglected.

TABLE 37-7. OKLAHOMA: CONDITIONS OF CHILDREN PLACED OUT-OF-STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Physically Handicapped	0	0
Mentally Retarded or Developmentally Disabled	0	0
Unruly/Disruptive	0	2
Truant	0	1
Juvenile Delinquent	0	2
Mentally Ill/Emotionally Disturbed	0	0
Pregnant	1	0
Drug/Alcohol Problems	0	2
Battered, Abandoned, or Neglected	2	2
Adopted	0	0
Special Education Needs	0	1

TABLE 37-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting: Education	Juvenile Justice
Multiple Handicaps	0	0
Other[b]	1	0
Number of Agencies Reporting	3	3

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

C. Detailed Data from Phase II Agencies

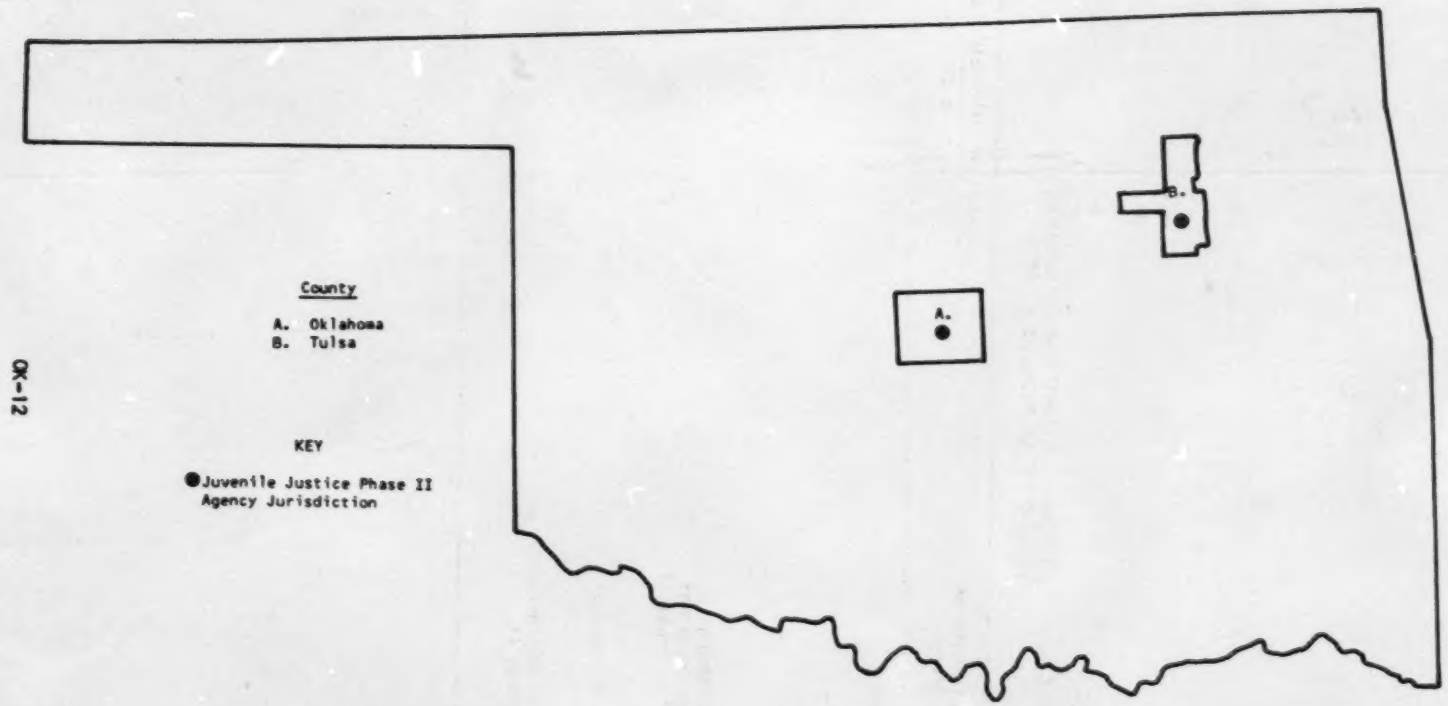
If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Oklahoma's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local juvenile justice agencies which reported arranging five or more out-of-state placements in 1978.

The relationship between the number of local juvenile justice agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 37-1. Two of the local agencies, all of which reported making out-of-state placements in 1978, were in the Phase II category, reporting involvement in the placement of 92 percent of the children sent out of state. Clearly, the detailed information to be reported on the practices of Phase II agencies is descriptive of the majority of out-of-state placements arranged by Oklahoma local juvenile justice agencies in 1978.

FIGURE 37-1. OKLAHOMA: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Juvenile Justice
Number of AGENCIES	3
Number of AGENCIES Reporting Out-of-State Placements in 1978	3
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	2
Number of CHILDREN Placed Out of State in 1978	36
Number of CHILDREN Placed by Phase II Agencies	33
Percentage of Reported Placements in Phase II	92

These two Phase II juvenile justice agencies serve counties (Oklahoma and Tulsa) whose geographical locations are illustrated in Figure 37-2. Each county is part of an SMSA and each contains the major city of its respective SMSA.



OK-12

FIGURE 37-2. OKLAHOMA: COUNTY LOCATION OF LOCAL PHASE II AGENCIES

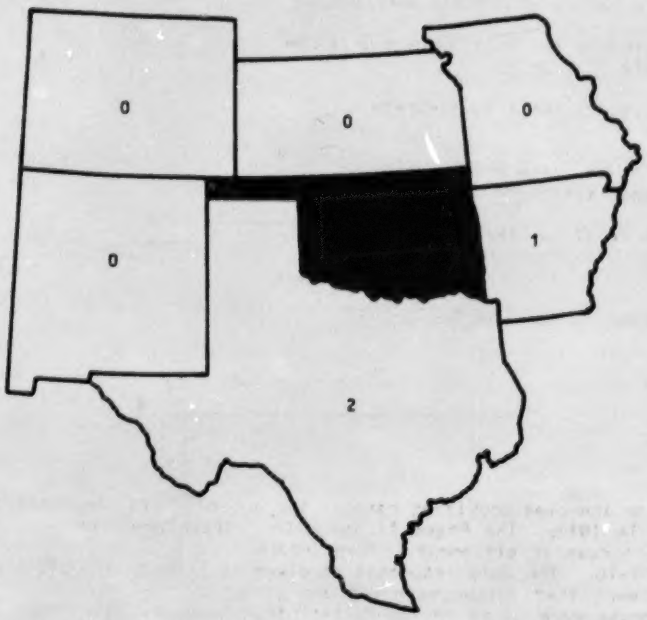
Local Phase II agencies were asked to specify the number of children that went to each receiving state. The destinations of 25 children were not reported by the responding juvenile justice agencies and the remaining eight children went to six states. Pennsylvania and Texas received two children each, and Arkansas, Georgia, Illinois, and Montana each received one child.

TABLE 37-8. OKLAHOMA: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed Juvenile Justice
Arkansas	1
Georgia	1
Illinois	1
Montana	1
Pennsylvania	2
Texas	2
Placements for Which Destinations Could Not be Reported by Phase II Agencies	25
Total Number of Phase II Agencies	2
Total Number of Children Placed by Phase II Agencies	33

As Figure 37-3 indicates, three of the eight children for whom destinations were available from local probation agencies went to the contiguous states of Arkansas and Texas.

FIGURE 37-3. OKLAHOMA: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO OKLAHOMA BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II juvenile justice agencies reported destinations for eight children.

The two Phase II juvenile justice agencies explained the reasons for making these placements. They are included in Table 37-9. Both agencies made placements into other states as an alternative to public institutional placement in Oklahoma. Also, both agencies sent children so that they could live with relatives outside of Oklahoma. Single agencies also placed children because of previous success with a particular receiving facility in another state and for "other" reasons.

TABLE 37-9. OKLAHOMA: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting: Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0
Previous Success with Receiving Facility	1
Sending State Lacked Comparable Services	0
Standard Procedure to Place Certain Children Out of State	0
Children Failed to Adapt to In-State Facilities	0
Alternative to In-State Public Institutionalization	2
To Live with Relatives (Non-Parental)	2
Other	1
Number of Phase II Agencies Reporting	2

a. Some agencies reported more than one reason for placement.

Both of the probation agencies providing reasons for out-of-state placement placed children most frequently with relatives in 1978. The Phase II juvenile justice agencies also indicated the methods of monitoring children's progress in placement. This information and the frequency of use of these methods are included in Table 37-10. The only responses received to methods of monitoring according to specific time intervals offered were that telephone calls and other methods of contact are used on a quarterly basis. All other responses were given to the "other" frequency, two of which referred to the receipt of written progress reports.

TABLE 37-10. OKLAHOMA: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a]: Juvenile Justice
Written Progress Reports	Quarterly	0
	Semiannually	0
	Annually	0
	Other[b]	2
On-Site Visits	Quarterly	0
	Semiannually	0
	Annually	0
	Other[b]	1

TABLE 37-10. (Continued)

Methods of Monitoring	Frequency of Practice	Number of AGENCIESa Juvenile Justice
Telephone Calls	Quarterly	1
	Semiannually	0
	Annually	0
	Other[b]	1
Other	Quarterly	1
	Semiannually	0
	Annually	0
	Other[b]	1
Total Number of Phase II Agencies Reporting		2

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

Local Oklahoma agencies placing more than four children were asked to report their expenditures for out-of-state placement. One juvenile justice agency responded to this inquiry by stating that no public funds were used to support the placements it made in 1978.

D. Use of Interstate Compacts by State and Local Agencies

An issue of particular importance to a study about the out-of-state placement of children concerns the extent to which interstate compacts are utilized to arrange such placements. Table 37-11 reports overall findings about the use of compacts in 1978 by local agencies which arranged out-of-state placements. Information is given to facilitate a comparison of compact utilization across agency types and between agencies with four or less and five or more placements (Phase II). In addition, the specific type of compact which was used by Phase II agencies is reported in Table 37-11.

Consideration of compact utilization by local Oklahoma education and juvenile justice agencies finds that, in total, five out of six agencies reported not using a compact to arrange any out-of-state placements. It can also be observed that all three placing school districts were among those agencies which did not utilize a compact in 1978. It should be noted that out-of-state placements to facilities solely educational in nature are not under the purview of any compact. The one juvenile justice agency utilizing a compact in 1978 to arrange placements was a Phase II agency reporting use of the Interstate Compact on Juveniles.

TABLE 37-11. OKLAHOMA: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Education	Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	3	1
• Number Using Compacts	0	0

TABLE 37-11. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES	
	Education	Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN (Continued)		
• Number Not Using Compacts	3	1
• Number with Compact Use Unknown	0	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	0	2
• Number Using Compacts	--	1
Interstate Compact on the Placement of Children		
Yes	--	0
No	--	2
Don't Know	--	0
Interstate Compact on Juveniles		
Yes	--	1
No	--	1
Don't Know	--	0
Interstate Compact on Mental Health		
Yes	--	0
No	--	2
Don't Know	--	0
• Number Not Using Compacts	--	1
• Number with Compact Use Unknown	--	0
TOTALS		
Number of AGENCIES Placing Children Out of State	3	3
Number of AGENCIES Using Compacts	0	1
Number of AGENCIES Not Using Compacts	3	2
Number of AGENCIES with Compact Use Unknown	0	0

-- denotes Not Applicable.

Table 37-12 provides additional information about the utilization of interstate compacts by Oklahoma local agencies. This table is organized similar to Table 37-11, but reports findings about the number of children who were or were not placed out of Oklahoma with a compact. In total, 38 children were reported placed in other states without a compact. Comparison across agency types reveals that local education agencies placed five children out of state without a compact. Only three children placed out of Oklahoma by a Phase II juvenile justice agency were sent with the use of the Interstate Compact on Juveniles.

TABLE 37-12. OKLAHOMA: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN	
	Education	Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	5	3
• Number Placed with Compact Use	0	0
• Number Placed without Compact Use	5	3
• Number Placed with Compact Use Unknown	0	0
CHILDREN PLACED BY PHASE II AGENCIES	0	33
• Number Placed with Compact Use	—	3
Number through Interstate Compact on the Placement of Children	--	0
Number through Interstate Compact on Juveniles	--	3
Number through Interstate Compact on Mental Health	--	0
• Number Placed without Compact Use	--	30
• Number Placed with Compact Use Unknown	--	0
TOTALS		
Number of CHILDREN Placed Out of State	5	36
Number of CHILDREN Placed with Compact Use	0	3
Number of CHILDREN Placed without Compact Use	5	33
Number of CHILDREN Placed with Compact Use Unknown	0	0

-- denotes Not Applicable.

A graphic summarization of these findings about local agency utilization of interstate compacts in Oklahoma is illustrated in Figures 37-4 and 5. These figures illustrate the percentage of placements arranged by agencies of each service type which were compact arranged, noncompact arranged, and undetermined with respect to compact use.

FIGURE 37-4. OKLAHOMA: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978

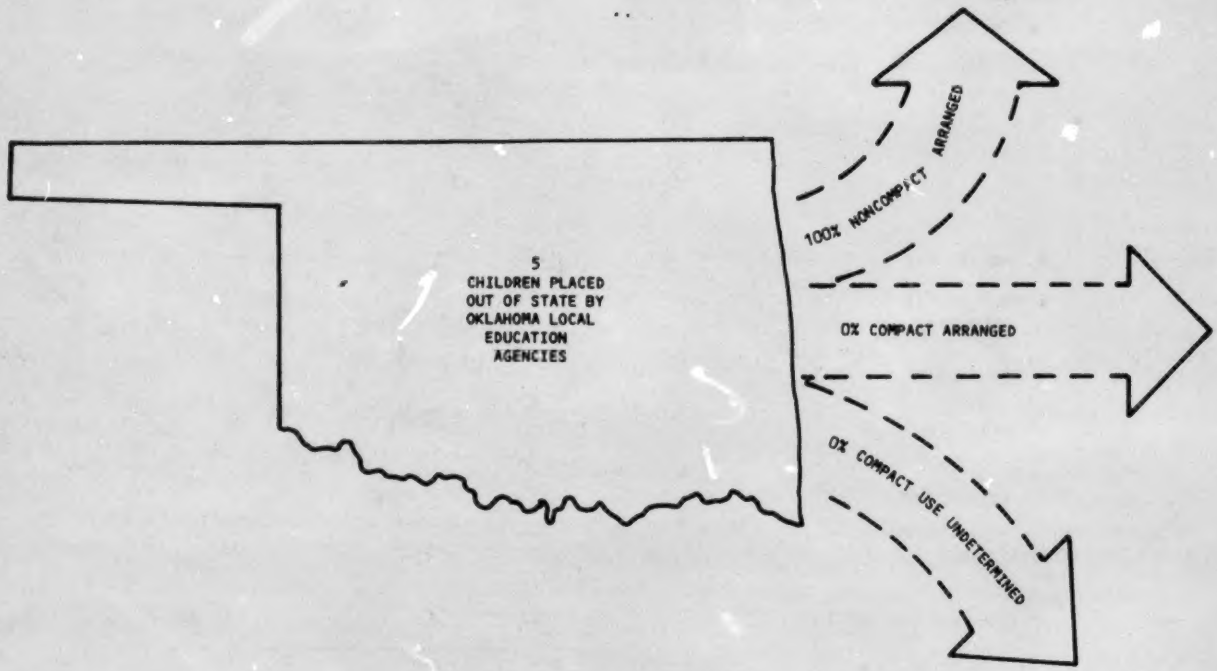
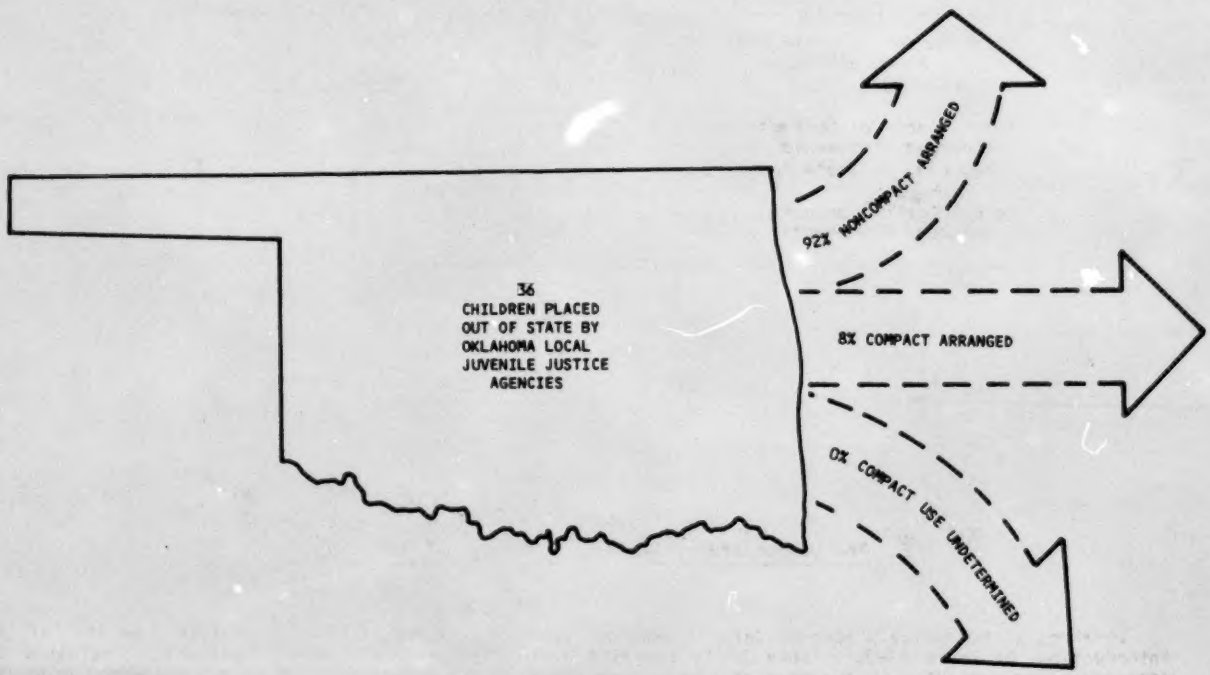


FIGURE 37-3. OKLAHOMA: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978



State agencies in Oklahoma were asked to report their knowledge of interstate compact use in 1978 by both state and local agencies. Table 37-13 offers the state agencies' responses, including the report by the state child welfare agency that 34 percent of the 766 children it was aware had been placed out of Oklahoma in 1978 were placed with the use of a compact.

Like the local school districts, the state education agency reported no out-of-state placements had been compact processed. Only 87 placements reported by the state juvenile justice agency were arranged through a compact office.

TABLE 37-13. OKLAHOMA: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice
Total Number of State and Local Agency-Arranged Placements	766	5	123
Total Number of Compact-Arranged Placements Reported by State Agencies	417	0	87
Percentage of Compact-Arranged Placements	54	0	71

E. The Out-of-State Placement Practices of State Agencies

Oklahoma state agency placement data is expanded upon in this portion of the profile from its initial introduction in Table 37-2. Table 37-14 contains information on out-of-state placement incidence by state agencies according to the type of involvement the agencies undertook in the 1978 placement process.

The DISRS' Division of Child Welfare arranged and funded the placement of 187 children into other states in 1978. This is the highest incidence of such placements of any agency at the state or local level in Oklahoma. The state child welfare agency also helped arrange out-of-state placements, though not legally or financially responsible for the children involved, and participated in other ways in the placement of children, but did not specify how many children were subject to these types of involvement. The agency did, however, give some indication about the number of children that could be ascribed to these categories in indicating that it assisted or had knowledge of a total of 766 children placed out of Oklahoma in 1978. Many of these children and those placed under the "other" category of involvement were noted to be Asian children who had been brought to the United States and who were placed into adoptive homes throughout the country by a private agency in Oklahoma. The DISRS' Division of Child Welfare licenses and supervises the activity of this agency.

Although local school districts placed five children out of Oklahoma, the Department of Education reported knowledge of no out-of-state placements in the reporting year, as did the Department of Mental Health.

The DISRS' Bureau of Institutions and Community Services to Children and Youth, the state juvenile justice agency, placed 87 children into other states under the "other" category of involvement, indicating that the placement of these children was arranged by the agency but not funded because they went to settings which received the children without cost to the agency. No out-of-state placements were reported to have been arranged by local juvenile justice agencies.

TABLE 37-14. OKLAHOMA: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Arranged and Funded	187	0	0	0
Locally Arranged but State Funded	—	0	0	--
Court Ordered, but State Arranged and Funded	0	0	0	0
Subtotal: Placements Involving State Funding	187	0	0	0
Locally Arranged and Funded, and Reported to State	—	0	0	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	*	0	0	0
Other	*	0	87	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	766	0	87	0

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

The number of children who were placed in 1978 into specific states was requested of Oklahoma state agencies. However, neither the state child welfare agency nor the juvenile justice agency could report the number of children placed in any particular state.

Table 37-15 provides a description of the children placed out-of-state by Oklahoma state agencies. It indicates that the DISRS' Bureau of Institutions and Community Services to Children and Youth placed only children who were unruly/disruptive, truant, or delinquent into other states in 1978. In contrast, the DISRS' Division of Child Welfare placed children with a wide variety of characteristics. Included among these children were those with physical, developmental, or emotional impairments, as well as those who were pregnant and minors with a history of substance abuse. This state agency also mentioned placing children who are typically associated with the child welfare services, such as foster, adopted, and battered, abandoned, or neglected children.

TABLE 37-15. OKLAHOMA: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]	
	Child Welfare	Juvenile Justice
Physically Handicapped	X	0
Mentally Handicapped	0	0
Developmentally Disabled	X	0
Unruly or Disruptive	0	X
Truants	0	X
Juvenile Delinquents	0	X
Emotionally Disturbed	X	0
Pregnant	X	0
Drug or Alcohol Problems	X	0
Battered, Abandoned, or Neglected	X	0
Adopted Children	X	0
Foster Children	X	0
Other	0	0

a. X indicates conditions reported.

Oklahoma state agencies involved in placing children into other states in 1978 indicated the type of setting that was most frequently selected to receive these children at their destination. The state child welfare agency most frequently sent children to adoptive homes outside of Oklahoma in that year. The juvenile justice agency most often arranged for children to be received by relatives in other states.

These two DISRS agencies were asked to indicate their expenditures, by source of funds, for out-of-state placements in 1978. The state juvenile justice agency did not indicate the costs it may have incurred in placing children into other states. The state child welfare agency spent $812 in state funds and $3,248 in federal funds, for a total expenditure of $4,060 for out-of-state placements in 1978.

TABLE 37-16. OKLAHOMA: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY STATE AGENCIES

Levels of Government	Expenditures, by AGENCY Type	
	Child Welfare	Juvenile Justice
• State	$ 812	*
• Federal	3,248	*
• Local	0	*
• Other	0	*
Total Reported Expenditures	$4,060	*

F. State Agencies' Knowledge of Out-of-State Placements

As a final review, Table 37-17 offers the incidence of out-of-state placement reported by Oklahoma public agencies and the number of children placed out of state of which the state agencies had knowledge. The state child welfare agency, as discussed in Table 37-14, included out-of-state placements made by a private adoption agency and processed through the state interstate compact office in the total of 766 children reported to have been sent out of Oklahoma in 1978.

The state education agency was not aware of the five out-of-state placements arranged by local school districts in 1978. This state agency and the state mental health and mental retardation agency were not involved in any out-of-state placements during the reporting year themselves.

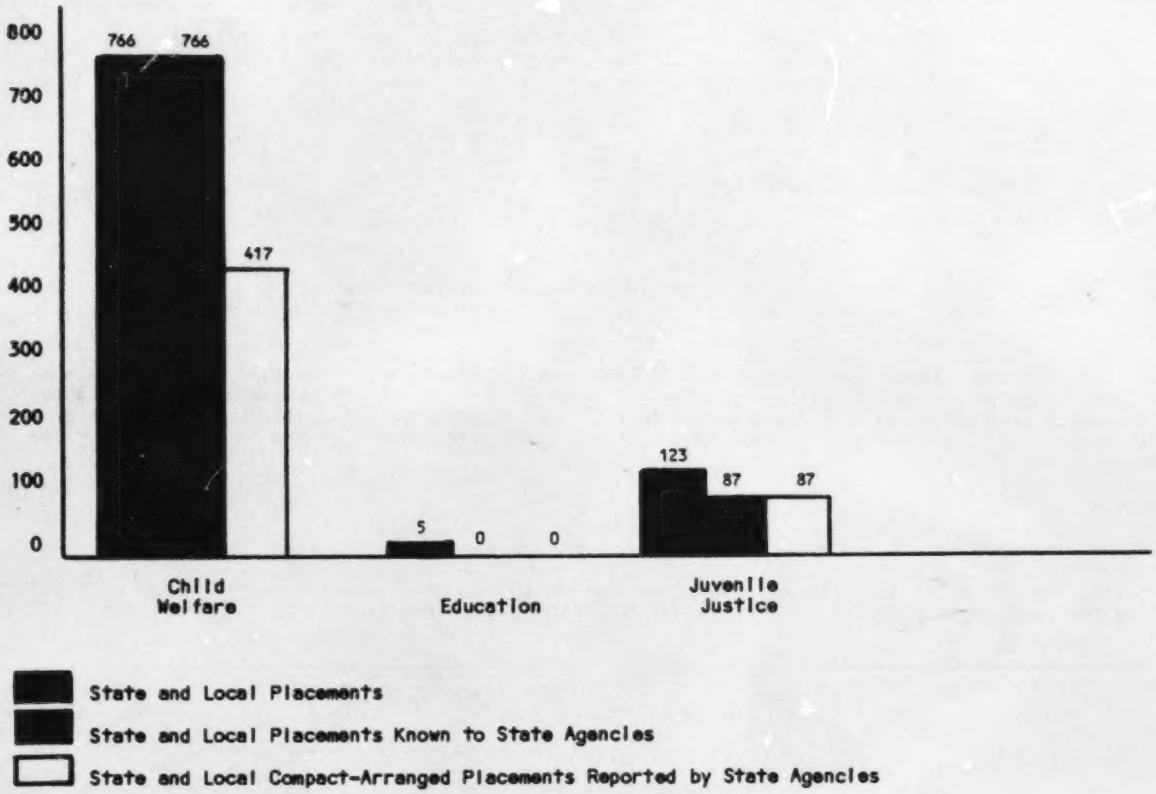
Finally, the state juvenile justice agency had knowledge of 87 out-of-state placements in 1978, not reporting the involvement of the local agencies in 36 children's placements.

TABLE 37-17. OKLAHOMA: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	766	5	123	0
Total Number of Placements Known to State Agency	766	0	87	0
Percentage of Placements Known to State Agencies	100	0	71	100

Figure 37-6 illustrates the differences in state and local agencies' placement reports and, equally as important, the state agencies' knowledge of interstate compact use. Of particular interest is the state child welfare agency's report that only 417 children of the 766 placed out of state were processed by a compact. Also of note is the lack of state agency knowledge about local school districts' placement activity and that of local juvenile justice agencies. The state juvenile justice agency reported all 87 children it had knowledge of being placed out of state were processed by a compact. However, Table 37-12 showed that only three children of the 36 locally reported placements were arranged with compact use. Therefore, it could be assumed that the state had no knowledge of 33 locally initiated out-of-state placements.

FIGURE 37-6. OKLAHOMA: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

A few of the major trends and important points emergent in the preceding results of the survey of Oklahoma state and local agency out-of-state placement practices follow.

- Except for the three local probation agencies which all made out-of-state placements in 1978, this practice is all but confined to the state child welfare and juvenile justice agencies within the Department of Institutions, Social and Rehabilitative Services.
- The local juvenile justice agencies, located in urban areas of Oklahoma, tended to place a variety of children out of state with minimal interstate compact utilization.
- The large number of children reported to be placed out of state in 1978 by the state child welfare agency included a significant but unknown proportion of immigrant children officially processed through Oklahoma into adoptive homes throughout the country.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Oklahoma in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN TEXAS

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Don Weston, Director, Division of Special Education, Department of Education; Joyce Saim, Director, Division of Special Services, Department of Human Resources; Merle Springer, Deputy Commissioner, Office of the Deputy Commissioner for Financial and Social Programs, Department of Human Resources; Jessica Luttrell, Administrative Assistant, Division of Special Services, Department of Human Resources; Mary Waite, Deputy Administrator, Interstate Compact on Juveniles, Texas Youth Council; and John Hardage, Legal Counselor, Department of Mental Health and Mental Retardation.

II. METHODOLOGY

Information was systematically gathered about Texas from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A substantially larger sample of local mental health agencies was contacted during data collection than the required ten percent of the total and this sample confirmed state-supplied information. A summary of the data collection effort in Texas appears below in Table 44-1.

TABLE 44-1. TEXAS: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone interview	Telephone interview	Telephone interview	Telephone interview
	Mailed Survey: DHR officials	Mailed Survey: DOE officials	Mailed Survey: TYC officials	Mailed Survey: DMHMR officials
Local Agencies[a]	Telephone Survey: All regional offices supervising the 254 local child welfare agencies[b]	Telephone Survey: 10 percent of the 1,078 local school districts to verify state information[c]	Telephone Survey: All 161 local probation departments or courts	Telephone Survey: 90 percent of the 29 local mental health and mental retardation centers to verify state information[c]

a. The telephone survey was conducted by Paula Sornoff, consultant, of San Antonio under a subcontract to the Academy.

b. It should be pointed out that the aegis of government responsible for local child welfare services in Texas is subject to dispute even among officials within the state. The disagreement is linked to the shared participation of state and county governments in the funding and administration of these services. See section III of this profile for further discussion of this issue.

c. Information attributed in this profile to the state's school districts and local mental health and mental retardation agencies was gathered from the state education and mental health and mental retardation agencies and the local samples.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Texas has the second largest land area (262,134 square miles), or one-seventh of the country's total land mass, and is the third most populated state (12,244,678) in the United States. The distribution of the population varies significantly, with over one-half of the state's population residing in about 10 of the state's 254 counties. The population ranges from approximately 70 people in one county to four counties that rank in the top 50 in the country. It has 130 cities with populations over 10,000. In 1970, almost 80 percent of the total population lived in urban areas. Houston, with approximately 1,327,000 people, is the largest city in the state, followed by Dallas and San Antonio. The capital, Austin, ranks sixth in population with just over 301,000. The 1978 estimated population of persons eight to 17 years old was 2,238,412.

Texas has more Standard Metropolitan Statistical Areas (SMSAs) than any other state, 24. One of these SMSAs includes a portion of a contiguous state, Arkansas. Other contiguous states are Louisiana, New Mexico, and Oklahoma. Also of importance to this study is the fact that Texas is bordered by Mexico on the south and southwest for a distance of several hundred miles.

Texas is ranked 44th nationally in total state and local per capita expenditures, 33rd in per capita expenditures for education, and 41st in per capita expenditures for public welfare.[1]

B. Child Welfare

Services related to child welfare in Texas are supervised by the Department of Human Resources (DHR). Responsibility for policy development and service delivery is delegated to the DHR's Office of Operations and Financial and Social Programs. Delivery of child welfare services is administered by local human resources offices in Texas' 254 counties. There is disagreement among Texas officials as to the aegis of government under which these 254 offices are operated. There is, in essense, a "hybrid" of state and local govenment involvement in the funding and administration of services to dependent and neglected children. For the purposes of this study, it was determined that a display of the information collected from the 12 regional DHR offices about each of the 254 human resources offices would offer the most thorough coverage if presented as local agency information. In this way, the possible implications of county population and location in relation to the incidence of placement would best be provided.

The Licensing Services Branch of DHR licenses, inspects, and promulgates standards for care for nearly every residential facility in Texas. Other major departmental functions consist of providing placement and protective services, including adoptions, foster family care, group care, and institutional placements. DHR administers the AFDC program, but general assistance is supported and administered by local government.

The Interstate Compact on the Placement of Children (ICPC) is administered by DHR. Texas has been a member of this compact since 1975.

C. Education

The education system in Texas is primarily the responsibility of the Texas Education Agency (TEA), which includes the State Board of Education, the Commissioner of Education, and the Department of Education (DOE). These three components of the TEA, in addition to other activities, establish funding policy and adopt accreditation standards at the state level. TEA/DOE accredits state and nonpublic residential schools. Under Texas law, accreditation is necessary only to qualify for receipt of state education monies, although all school facilities must meet fire and safety requirements as outlined in the Texas code.

The DOE is responsible for the supervision of Texas' 1,078 public school districts. During 1978, it was also authorized to enter into contracts for residential placements in the state and out of state for deaf, blind, and multiply handicapped children (Texas Education Code, Section 11.27). A small amount of state funds was available for such placements. However, before placing any children with the use of state funds, the DOE had to examine and approve the educational program of each out-of-state facility. In 1979, this section of the Texas Education Code was repealed; however, out-of-state services were still available and are purchased utilizing Education of the Handicapped-Part B funds. The requirement that the state agency must examine and approve the education program continues in force.

The 1,078 local school districts in Texas have authority to place children out of state without reporting the information to the DOE. However, it was reported that these placements are unlikely because the districts can and do request state assistance and funding to help defray the expense.

D. Juvenile Justice

In Texas, juvenile jurisdiction may either fall under the court of domestic relations concurrent with county, district, or juvenile courts, or some combination of the three, depending upon the county. When a county does not have court-attached probation services, the county welfare department, the Texas Youth Council, or probation departments in neighborhoring counties provide these services. In 1978, it was reported that there were 130 counties being served through multicounty service agreements. It was also reported that 37 counties had no local probation services.

Children judged to have engaged in delinquent behavior are committed to the Texas Youth Council (TYC), which operates both state training schools and community-based residential placement alternatives for juveniles. In the past, this agency primarily operated state training schools and parole services. However, a major litigation, the national movement towards deinstitutionalization, and an effort to develop a master plan for youth services led the state legislature to appropriate TYC's first funds for community-based services in 1975. Currently, the system includes state-operated and state-funded halfway centers and a program for funding local delinquency prevention efforts.

TYC operates several institutions, parole services, and community care programs. A small number of these institutions are designated by TYC to accommodate youth formerly declared dependent or neglected by the courts. Youth are placed rather than committed by the courts to these facilities. In this regard, then, this particular service related to child welfare is a responsibility of TYC.

It was reported that TYC can and did place children out of state in 1978. In addition, juvenile courts place children in out-of-state facilities, from time to time, without advising the state or using the Interstate Compact on Juveniles (ICJ). This practice is fairly uncommon, however, because most Texas juvenile courts have severely limited budgets. In cases where such placements are made, the court probation department usually negotiates directly with the receiving facility. Since the frequency of these placements is quite low, and since the state does not pay for them, TYC has apparently elected not to strenuously pursue compliance for compact utilization. The Interstate Compact on Juveniles, which Texas has been a member of since 1965, is administered by TYC.

E. Mental Health and Mental Retardation

Mental health services are administered statewide by the Texas Department of Mental Health and Mental Retardation (DMHMR). In addition to administrative and support divisions, there are three service divisions in the department: Mental Health Services, Mental Retardation Services, and Community Services.

The Mental Health Services Division oversees the operations of eight hospitals, some of which have outreach centers, and a youth center. The Community Services Division is a liaison between DMHMR and 30 locally operated community mental health and mental retardation centers that, collectively, serve 133 counties; also, the Community Services Division oversees the operations of four centers for human development and a state center for mental health and mental retardation. The Mental Retardation Services Division oversees the operation of 13 residential care facilities, some of which have outreach centers, and a rehabilitation center.

Each of the 29 community mental health and mental retardation centers is governed by a board composed of local officials and citizens. Local funds as well as state funds assist in the operation of a center. A center director is accountable to the local board, but must comply with rules and procedures established by DMHMR for some areas of operation. Some centers have residential beds while other centers completely rely upon contracts with the private sector for residential services for children. Although the terms of these contracts vary widely and are controlled by the centers, DMHMR reviews and audits all service contracts which must conform to state standards and regulations.

Neither the state facilities for the mentally ill and the mentally retarded nor the community mental health and mental retardation centers were reported to engage in the practice of placing children out of state. Clients residing at state facilities for the mentally ill and mentally retarded may be placed in similar facilities in other states as authorized under provisions of the Interstate Compact on Mental Health (ICMH) and other state laws. Texas has been a member of the compact since 1969. Such placements are authorized and controlled by the commissioner of DMHMR.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

This section of the Texas state profile describes the results of the survey of state and local agencies. It is organized to address some of the important issues relevant to out-of-state placement that were raised in Chapter 1.

A. The Number of Children Placed in Out-of-State Residential Settings

An introduction to the overall issue of out-of-state placement is provided in Table 44-2 which summarizes the placement activity discovered among Texas state and local agencies. Table 44-2 indicates that most reported out-of-state placement activity occurred at the local level, but it should be noted that information is missing from two state agencies, the Department of Human Resources and the Texas Youth Council. The child welfare agency was able to report that it was involved in the out-of-state pla-

cement of 142 children in 1978, but this number included placements with parents living outside of Texas which did not meet this study's definitional requirements and could not be separated from the total figure. Among the local agencies, the child welfare and juvenile justice agencies reported the highest incidence of placement.

Because state data was not available from the two agencies, Table 44-2 must be interpreted as being an underrepresentation of the total involvement of Texas public agencies in out-of-state placements in 1978.

TABLE 44-2. TEXAS: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Total
State Agency Placements[a]	*[b]	3	*	6	9
Local Agency Placements	264	8	260	0	532
Total	264	11	260	6	541

* denotes Not Available.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 44-15 for specific information regarding state agency involvements in arranging out-of-state placements.

b. The Department of Human Resources reported being involved in the out-of-state placement of an estimated 142 children in 1978, but this included placements with parents living outside of Texas.

Local agency activity in placing children into other states is further defined in Table 44-3, which gives incidence figures for each agency type in each of Texas' 254 counties. Agencies serving more than one county appear in the section describing multicounty jurisdiction. It is important to bear in mind that the jurisdiction of school districts contacted is smaller that the counties containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all school districts within them.

Local child welfare agencies placing children out of Texas are scattered throughout the state. Dallas (Dallas) and Harris (Houston) Counties, having the largest juvenile populations, reported the most placements with 30 children from each county leaving the state in 1978. Urban counties in Texas' 24 SMSAs accounted for 84 percent of all out-of-state placements reported by local child welfare agencies. The remaining child welfare placements were reported by less-populated and rural counties.

School districts in Harris County, located within the Houston SMSA, reported the largest number of education out-of-state placements, three children. Dallas County school districts placed a total of two children out of Texas in 1978. The three remaining school districts sending single children into other states are also located in urban counties.

Placement activity in 1978 among local juvenile justice agencies was not as urbanized a phenomenon as among the child welfare and education agencies. The largest number of children placed out of Texas by a single juvenile justice agency in that year came from an SMSA county, Bexar, which includes the city of San Antonio. However, only 37 percent of the reported juvenile justice placements were made by agencies which serve only SMSA counties. An additional eight percent of the children were sent out of state by two agencies with multicounty jurisdictions which included only one SMSA county each among their combined

service area of 12 counties. The remaining 90 children reported to have been placed out of state in 1978 were sent by juvenile justice agencies serving less populated counties of Texas.

In general, out-of-state placement activity among local public agencies in Texas was more concentrated in the eastern portion of the state, where the majority of SMSA counties are located. There did not appear to be a trend of counties bordering other states placing more children out of state in 1978.

TABLE 44-3. TEXAS: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Anderson	4,916	0	0	0
Andrews	2,083	0	0	1
Angelina	10,018	0	0	1
Aransas	1,814	0	0	--
Archer	1,130	0	0	--
Armstrong	255	0	0	0
Atascosa	3,925	0	0	--
Austin	2,331	0	0	0
Bailey	1,556	0	0	6
Bandera	897	0	0	--
Bastrop	3,493	0	0	--
Baylor	698	0	0	--
Bee	4,417	0	0	--
Bell	24,147	13	0	10
Bexar	179,034	8	0	27 est
Blanco	557	0	0	--
Borden	123	0	0	--
Bosque	1,523	0	0	--
Bowie	12,169	0	0	0
Brazoria	23,893	3	0	0
Brazos	10,815	3	0	0
Brewster	1,346	0	0	--
Briscoe	372	0	0	--
Brooks	1,672	0	0	0
Brown	4,754	4	0	0
Burleson	1,780	0	0	--
Burnet	2,173	0	0	--
Caldwell	3,608	0	0	--
Calhoun	3,868	0	0	--
Callahan	1,463	0	0	--
Cameron	37,901	0	0	13 est
Camp	1,372	0	0	--
Carson	1,198	0	0	0
Cass	4,632	0	0	0
Castro	2,411	0	0	--
Chambers	2,458	0	0	3
Cherokee	4,897	0	0	1
Childress	898	0	0	0
Clay	1,342	0	0	--
Cochran	1,048	0	0	0

TABLE 44-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Coke	594	0	0	--
Coleman	1,488	0	0	0
Collin	18,609	2	0	0
Collingsworth	607	0	0	0
Colorado	2,834	0	0	--
Comal	4,705	1	0	--
Comanche	1,700	0	0	--
Concho	431	0	0	--
Cooke	4,270	2	0	0
Coryell	5,884	2	0	0
Cottle	495	0	0	--
Crane	762	0	0	0
Crockett	818	0	0	--
Crosby	1,775	0	0	0
Culberson	836	0	0	--
Dallam	1,296	0	0	--
Dallas	260,010	30	2	12 est
Dawson	3,225	0	0	0
Deaf Smith	4,168	0	0	--
Delta	650	0	0	--
Denton	15,752	2	0	5
De Witt	2,890	0	0	--
Dickens	587	0	0	--
Dimmit	2,354	0	0	--
Donley	423	1	0	0
Duval	2,393	0	0	--
Eastland	2,191	0	0	*
Ector	18,379	7	0	2
Edwards	394	0	0	--
Ellis	9,265	0	0	0
El Paso	87,747	6	0	3
Erath	2,267	0	0	--
Falls	2,586	0	0	0
Fannin	3,453	0	0	2
Fayette	2,132	0	0	0
Fisher	920	0	0	--
Floyd	2,202	0	0	--
Foard	322	0	0	0
Fort Bend	15,737	7	0	0
Franklin	893	0	0	--
Freestone	1,781	0	0	0
Frio	2,809	2	0	--
Gaines	2,469	0	0	3
Galveston	34,367	17 est	0	0
Garza	905	0	0	0
Gillespie	1,741	0	0	--
Glasscock	271	0	0	0
Goliad	819	0	0	--
Gonzales	2,757	0	0	--
Gray	4,139	3	0	0

TABLE 44-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Grayson	12,997	0	0	2 est
Gregg	14,134	0	0	7 est
Grimes	2,002	0	0	--
Guadalupe	7,006	1	0	--
Hale	7,033	0	0	--
Hall	1,067	0	0	0
Hamilton	783	0	0	--
Hansford	1,219	0	0	--
Hardeman	898	0	0	0
Hardin	6,512	0	0	--
Harris	365,387	30	3	9
Harrison	7,747	4	0	0
Hartley	498	0	0	--
Haskell	1,230	0	0	0
Hays	5,091	0	0	0
Hemphill	653	0	0	--
Henderson	5,002	3	0	0
Hidalgo	50,047	1	1	0
Hill	3,181	0	0	0
Hockley	3,903	0	0	1
Hood	1,746	0	0	--
Hopkins	3,358	1	0	--
Houston	2,643	0	0	0
Howard	6,450	0	0	0
Hudspeth	602	0	0	--
Hunt	7,694	1	0	1
Hutchinson	3,897	0	0	0
Irion	176	0	0	--
Jack	925	0	0	0
Jackson	2,220	2	0	--
Jasper	5,048	0	0	--
Jeff Davis	267	0	0	--
Jefferson	42,360	13	0	1
Jim Hogg	968	0	0	--
Jim Wells	6,915	0	0	2
Johnson	9,906	0	0	1
Jones	2,500	0	0	0
Karnes	2,446	0	0	--
Kaufman	5,387	0	0	6 est
Kendall	1,448	0	0	--
Kenedy	124	0	0	--
Kent	225	0	0	0
Kerr	2,834	0	0	--
Kimble	734	0	0	--
King	76	0	0	--
Kinney	457	0	0	--
Kleberg	5,538	0	0	--
Knox	897	0	0	--
Lamar	6,583	0	0	0
Lamb	3,333	0	0	0

TABLE 44-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Lampasas	1,796	0	0	--
La Salle	1,241	0	0	--
Lavaca	2,554	0	0	--
Lee	1,469	0	0	--
Leon	1,239	0	0	0
Liberty	7,065	0	0	0
Limestone	2,647	0	0	--
Lipscomb	586	0	0	--
Live Oak	1,114	0	0	--
Llano	1,019	0	0	--
Loving	11	0	--	0
Lubbock	35,119	12	0	7
Lynn	1,875	0	0	0
McCulloch	1,276	0	0	0
McLennan	23,872	1	0	0
McMullen	168	0	0	--
Madison	1,102	0	0	--
Marion	1,238	0	0	--
Martin	1,057	0	0	0
Mason	539	0	0	--
Matagorda	5,336	2	0	0
Maverick	5,225	0	0	--
Medina	4,394	0	0	--
Menard	449	0	0	--
Midland	13,288	0	0	0
Milam	3,528	0	0	0
Mills	481	0	0	--
Mitchell	1,500	0	0	--
Montague	2,382	0	0	--
Montgomery	16,952	0	0	0
Moore	2,791	0	0	--
Morris	2,246	4	0	--
Motley	213	0	0	--
Nacogdoches	5,781	0	0	0
Navarro	5,000	0	0	6 est
Newton	2,389	0	0	--
Nolan	2,734	0	0	--
Nueces	48,421	9	0	11 est
Ochiltree	1,635	0	0	--
Oldham	619	0	0	--
Orange	14,919	1	1	0
Palo Pinto	3,635	0	0	0
Panola	2,676	0	0	0
Parker	5,739	0	0	0
Parmer	2,217	0	0	2
Pecos	2,808	0	0	--
Polk	3,271	0	0	--
Potter	15,651	4	0	0
Presidio	921	0	0	--
Rains	626	0	0	--

TABLE 44-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Randall	11,776	0	0	0
Reagan	668	0	0	--
Real	388	0	0	0
Red River	2,290	2	0	0
Reeves	3,622	2	0	0
Refugio	1,751	0	0	--
Roberts	205	0	0	0
Robertson	2,484	0	0	0
Rockwall	1,739	0	0	0
Runnels	1,848	1	0	--
Rusk	5,879	0	0	0
Sabine	1,347	0	0	--
San Augustine	1,438	0	0	--
San Jacinto	1,494	0	0	--
San Patricio	10,885	1	0	--
San Saba	842	0	0	--
Schleicher	459	0	0	--
Scurry	3,010	0	0	--
Schackelford	412	0	0	0
Shelby	3,454	1	0	0
Sherman	670	0	0	--
Smith	18,419	0	0	6 est
Somervell	505	0	0	0
Starr	5,107	0	0	--
Stephens	1,258	0	0	1
Sterling	169	0	0	--
Stonewall	272	0	0	1
Sutton	810	0	0	--
Swisher	2,058	0	0	--
Tarrant	130,563	14	1	13 est
Taylor	18,224	2	0	--
Terrell	339	0	0	--
Terry	2,833	0	0	0
Throckmorton	277	0	0	0
Titus	3,115	0	0	--
Tom Green	13,079	6	0	--
Travis	59,455	14	0	3
Trinity	1,225	2	0	--
Tyler	2,236	2	0	--
Upshur	3,837	0	0	--
Upton	809	0	0	--
Uvalde	4,249	1	0	0
Val Verde	6,814	4 est	0	--
Van Zandt	4,435	0	0	0
Victoria	11,454	1	0	--
Walker	3,530	0	0	--
Waller	2,479	0	0	0
Ward	2,398	0	0	0
Washington	3,167	1	0	--
Webb	19,036	0	0	0

TABLE 44-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Wharton	6,824	0	0	1
Wheeler	863	2	0	--
Wichita	20,395	5	0	6
Wilberger	2,272	1	0	1
Willacy	3,800	0	0	0
Williamson	8,937	0	0	1
Wilson	2,751	0	0	--
Winkler	1,623	0	0	0
Wise	3,583	0	0	0
Wood	3,090	0	0	--
Yoakum	1,447	0	0	0
Young	2,256	0	0	0
Zapata	914	0	0	--
Zavala	2,394	0	0	0
Multicounty Jurisdictions				
Walker, Madison, Grimes		--	--	0
Terrell, Val Verde, Maverick Edwards, Kinney		--	--	0
Gonzales, Guadalupe, Lavaca, Colorado		--	--	0
Hemphill, Lipscomb, Roberts, Wheeler		--	--	0
Jasper, Newton, Sabine, San Augustine		--	--	2
Hopkins, Delta, Franklin, Rains		--	--	3
Deaf Smith, Oldham		--	--	2
Hansford, Ochiltree		--	--	0
Lampasas, Mills		--	--	6
Kent, Kimble, Bandera, Gillespie, Kendall		--	--	0
Montague, Clay, Archer		--	--	0
Kleberg, Kenedy		--	--	2
Polk, San Jacinto, Trinity		--	--	0
Blanco, Llano, Mason, Menard, San Saba		--	-	5
Hudspeth, Culberson		--	-	0
Hood, Erath		--	-	0
Bosque, Comanche, Hamilton		--	-	1

TABLE 44-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Multicounty Jurisdictions (Continued)				
Bastrop, Burleson, Washington, Lee		--	-	2
Dallam, Hartley, Moore, Sherman		--	-	0
Fisher, Nolan, Mitchell		--	-	*
Zapata, Dimmit		--	-	0
Brewster, Jeff Davis, Presidio, Pecos, Upton, Reagan, Crockett, Sutton		--	-	0
Briscoe, Floyd, Dickens, Motley		--	-	6
Baylor, Knox, King, Cottle		--	-	0
Jim Hogg, Duval, Starr		--	-	0
Callahan, Taylor		--	-	10
Upshur, Wood		--	-	0
Calhoun, Goliad, DeWitt, Victoria, Jackson, Refugio		--	-	1
Caldwell, Comal		--	-	0
Aransas, Bee, Live Oak, McMullen San Patricio		--	-	17 est
Marion, Morris, Titus, Camp		--	--	3
Coke, Concho, Irion, Runnels, Schleicher, Sterling, Tom Green		--	--	5
Atascosa, Wilson, Frio, Karnes, La Salle, Medina		--	--	1
Borden, Scurry		--	--	0
Hale, Castro, Swisher		--	--	16
Hardin, Tyler		--	--	0

TABLE 44-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978		
		Child Welfare	Education	Juvenile Justice
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		264 est	8	260 est
Total Number of Local Agencies Reporting		254	1,078	161

* denotes Not Available.
-- denotes Not Applicable.

a. Estimates were developed by the National Center for Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

The involvement of Texas local agencies in placing children into other states in 1978 is summarized in Table 44-4 without regard to the number of children they may have placed. The largest proportion of agencies making out-of-state placements, among the service types which were contacted, were the local juvenile justice agencies with 52 agencies, or over 32 percent, reporting placements. The same number of local child welfare agencies reported placement involvement, but they were only 20 percent of the 254 agencies. Only seven of the 1,078 school districts sent children into other states in 1978. Local mental health and mental retardation agencies reported no out-of-state placement activity.

TABLE 44-4. TEXAS: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Agencies Which Reported Out-of-State Placements	52	7	52	0
Agencies Which Did Not Know if They Placed, or Placed but Could Not Report the Number of Children	0	0	2	0
Agencies Which Did Not Place Out of State	202	1,071	107	29
Agencies Which Did Not Participate in the Survey	0	0	0	0
Total Local Agencies	254	1,078	161	29

Those local agencies which were not involved in placing children out of Texas in the reporting year were asked to describe why such placements did not occur. Their responses are summarized in Table 44-5. About 99 percent of nonplacing child welfare agencies found sufficient services to be available in Texas so that out-of-state resources were not needed in 1978. Among the "other" responses, child welfare agencies reported that parental disapproval and agency policy prevented them from arranging such placements.

Almost all (99 percent) of the school districts and 45 percent of the mental health and mental retardation agencies did not place children out of Texas in 1978 because of the presence of sufficient resources to meet services needs within the state. Three percent of the school districts and 72 percent of the mental health and mental retardation agencies reported "other" reasons, which included parental disapproval, presence of agency policy prohibiting such placements, and the lack of knowledge of out-of-state residential settings. Several agencies of both service types said that they lacked the statutory authority to place children out of Texas and several stated that they lacked funds. One or two agencies also reported being restricted in some unspecified manner.

The juvenile justice agencies paralleled the other agency types. Fifty-seven percent of the juvenile justice agencies indicated the presence of sufficient services in-state, while 70 percent gave "other" responses and 26 percent said that they lacked funds for such placements. One agency said that it lacked statutory authority.

TABLE 44-5. TEXAS: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Lacked Statutory Authority	0	6	1	4
Restricted[b]	0	1	0	2
Lacked Funds	0	9	28	20
Sufficient Services Available in State	199	1,055	61	13
Other[c]	56	34	75	21
Number of Agencies Reporting No Out-of-State Placements	202	1,071	107	29
Total Number of Agencies Represented in Survey	254	1,078	161	29

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

Agencies contacted in the course of the national survey were sometimes found to use the consultation and assistance of other public agencies in the course of placing children across state lines. The extent to which this type of cooperation occurred among local Texas agencies is presented in Table 44-6. Juvenile justice agencies involved in placing children into other states in 1978 cooperated with other

public agencies in the placement process more frequently than other types of local agencies. Sixty percent of these agencies undertook some interagency cooperation in the course of placing almost one-half of their children out of Texas.

About one-fifth of placing child welfare agencies involved other agencies in 22 (eight percent) of the 264 placements they made in 1978. Three of the seven placing school districts reported arranging placements of three children, or 38 percent, of the education placements with the help of another agency.

TABLE 44-6. TEXAS: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type					
	Child Welfare		Education		Juvenile Justice	
	Number	Percent	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	52	20	7	0.6	52	32
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	11	21	3	43	31	60
Number of CHILDREN Placed Out of State	264	100	8	100	260	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	22	8	3	38	128	49

a. See Table 44-4.

The conditions and statuses of children placed by local Texas agencies are given in Table 44-7. Most local child welfare agencies placed battered, abandoned, or neglected children, and over one-half of these agencies also said children placed out of Texas were adopted. In general, child welfare agencies are widely involved in children's problems, giving positive responses to 10 of the 12 characteristics offered for description.

Five of the seven placing school districts described children who were placed outside of Texas as having multiple handicaps. Single school districts also mentioned that mentally ill/emotionally disturbed, battered, abandoned, or neglected children, and youth with special education needs were placed out of state in 1978. Almost 70 percent of the local juvenile justice agencies said that juvenile delinquents were placed into other states in that year. These agencies also reported a variety of children being placed out of Texas, including 10 of 12 descriptive categories given in Table 44-7.

TABLE 44-7. TEXAS: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting		
	Child Welfare	Education	Juvenile Justice
Physically Handicapped	13	0	0
Mentally Retarded or Developmentally Disabled	14	0	0
Unruly/Disruptive	18	0	21
Truant	6	0	13
Juvenile Delinquent	2	0	36
Mentally Ill/Emotionally Disturbed	13	1	2
Pregnant	0	0	1
Drug/Alcohol Problems	0	0	4
Battered, Abandoned, or Neglected	41	1	10
Adopted	27	0	2
Special Education Needs	16	1	2
Multiple Handicaps	9	5	1
Other[b]	7	1	2
Number of Agencies Reporting	52	7	53[c]

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

c. One of the local agencies which was not able to report the number of out-of-state placements it helped to arrange, was able to respond to this question.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Texas' state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

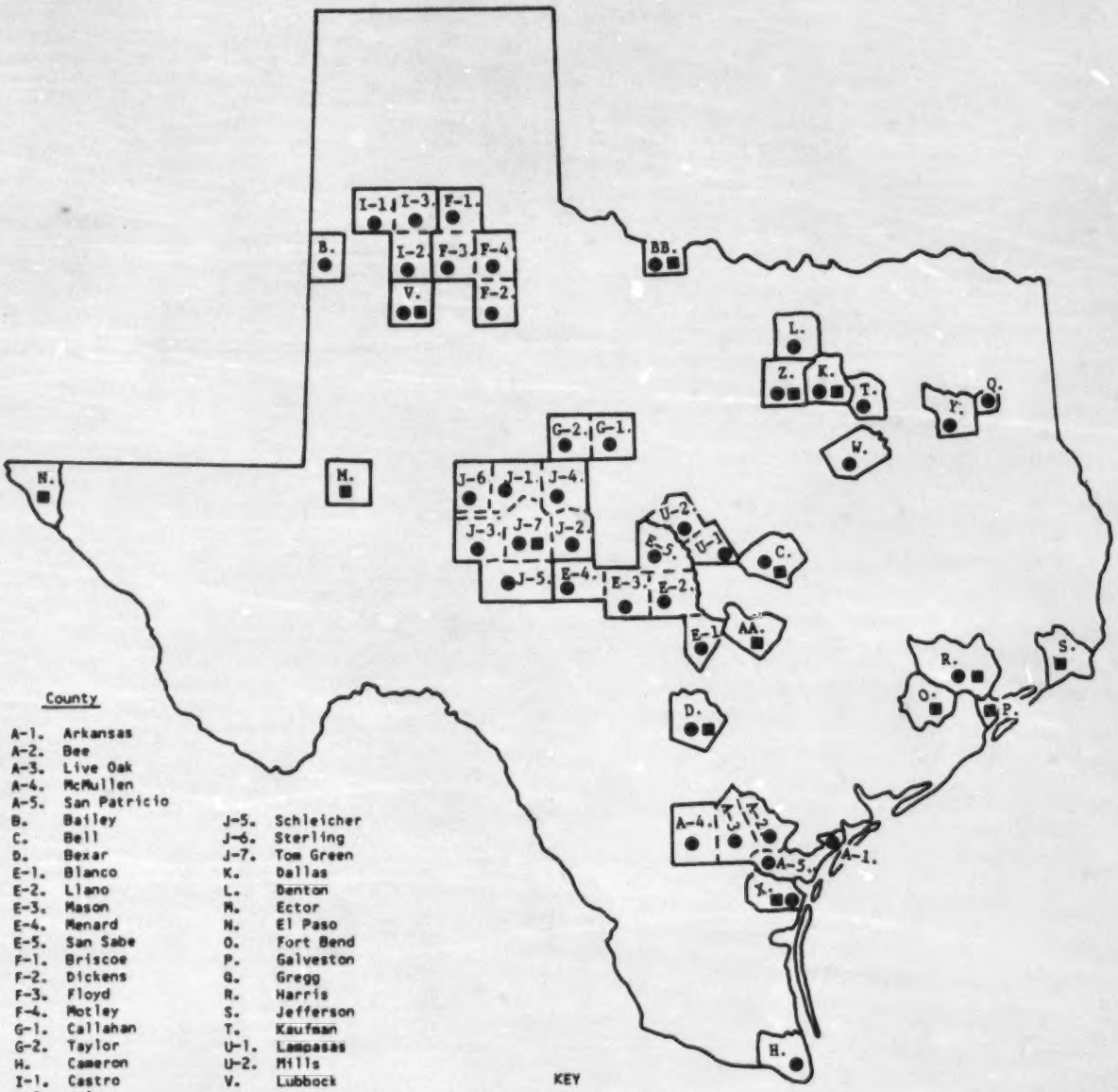
The relationship between the number of local Texas agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 44-1. Of the 52 child welfare agencies which reported placing children out of state in 1978, 29 percent were Phase II agencies. They were involved in the arrangement of 72 percent of the child welfare placements reported. A larger proportion of the placing juvenile justice agencies, 42 percent, were Phase II agencies, reporting their involvement in the placement of 80 percent of the children sent out of Texas by the local juvenile justice agencies. Clearly, the detailed information to be reported on the practices of Phase II agencies is descriptive of the majority of out-of-state placements arranged by Texas child welfare and juvenile justice local agencies in 1978.

FIGURE 44-1. TEXAS: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II BY AGENCY TYPE

	Child Welfare	Juvenile Justice
Number of AGENCIES	254	161
Number of AGENCIES Reporting Out-of-State Placements in 1978	52	52
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	15	22
Number of CHILDREN Placed Out of State in 1978	264	260
Number of CHILDREN Placed by Phase II Agencies	191	209
Percentage of Reported Placements in Phase II	72	80

The geographic locations of the Phase II agencies in Texas are illustrated in Figure 44-2 by the counties which they serve. The two largest groupings of Phase II counties are located between the San Angelo and Killeen-Temple SMSAs and around the Lubbock SMSA, primarily due to the multicounty jurisdictions of Phase II juvenile justice agencies. There are eight counties among the 49 which are served by both types of Phase II agencies and are scattered throughout the state: Bell, Bexar, Dallas, Harris, Lubbock, Nueces, Tarrant, and Wichita Counties. All of these eight counties are also SMSA counties.

FIGURE 44-2. TEXAS: COUNTY LOCATION OF LOCAL PHASE II AGENCIES



County

A-1. Arkansas
A-2. Bee
A-3. Live Oak
A-4. McMullen
A-5. San Patricio
B. Bailey
C. Bell
D. Bexar
E-1. Blanco
E-2. Llano
E-3. Mason
E-4. Menard
E-5. San Sabe
F-1. Briscoe
F-2. Dickens
F-3. Floyd
F-4. Motley
G-1. Callahan
G-2. Taylor
H. Cameron
I-1. Castro
I-2. Hale
I-3. Swisher
J-1. Coke
J-2. Concho
J-3. Irion
J-4. Runnels
J-5. Schleicher
J-6. Sterling
J-7. Tom Green
K. Dallas
L. Denton
M. Ector
N. El Paso
O. Fort Bend
P. Galveston
Q. Gregg
R. Harris
S. Jefferson
T. Kaufman
U-1. Lampasas
U-2. Mills
V. Lubbock
W. Navarro
X. Nueces
Y. [illegible]ith
Z. Tarrant
AA. Travis
BB. Wichita

KEY

■ Child Welfare Phase II Agency Jurisdiction

● Juvenile Justice Phase II Agency Jurisdiction

Local Phase II agencies were asked to report the number of children that went to each receiving state or country and their responses are summarized in Table 44-8. Among the 191 children placed by responding child welfare agencies, the largest number went to five states: Louisiana, Kansas, California, Washington, and Oklahoma, which received about one-half of the children placed by these agencies for whom destinations were reported. The remaining placements were scattered throughout every region of the United States in 31 other states, in addition to one child being sent to an Asian country.

The local Phase II juvenile justice agencies reporting destinations for 152 of the 209 placements they made most frequently used New Mexico, a border state, for receiving children. Arkansas, Oklahoma, California, and Nebraska also received a large number of children from the local juvenile justice agencies. Eight children went to the neighboring country of Mexico and the remaining children were placed in settings in 20 states located throughout the United States.

TABLE 44-8. TEXAS: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

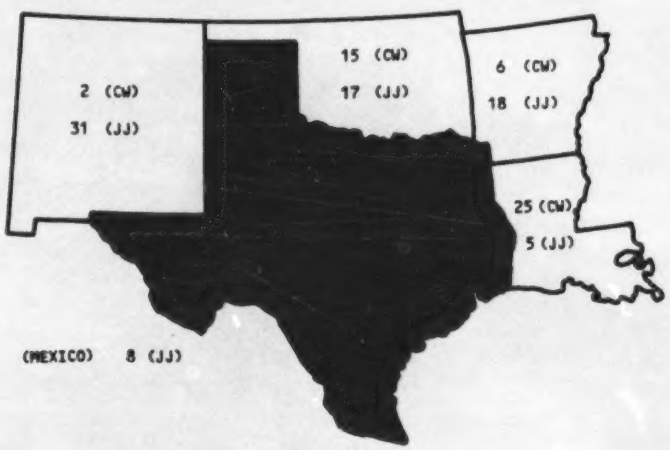
Destinations of Children Placed Out of State	Number of CHILDREN Placed	
	Child Welfare	Juvenile Justice
Alabama	4	3
Arizona	3	5
Arkansas	6	18
California	17	15
Colorado	3	1
District of Columbia	1	
Florida	6	9
Georgia	3	1
Idaho	1	
Illinois	2	5
Indiana	1	
Iowa		1
Kansas	21	5
Kentucky	7	
Louisiana	25	5
Maine	5	
Maryland	4	
Michigan	1	1
Minnesota	2	1
Mississippi	1	2
Missouri	7	
Montana	1	
Nebraska	1	14
Nevada	6	
New Jersey		1
New Mexico	2	31
New York	1	1
North Carolina	1	
North Dakota		1
Ohio	1	1
Oklahoma	15	17
Oregon	9	
Pennsylvania	6	
Rhode Island	1	
South Carolina		1
Tennessee	3	
Utah		1
Virginia	1	
Washington	16	1
Wisconsin	1	3

TABLE 44-8. (Continued)

Destinations of Children Placed Out of State	Number of CHILDREN Placed	
	Child Welfare	Juvenile Justice
Wyoming	1	
Mexico		8
Asia	1	
Placements for Which Destinations Could Not be Reported by Phase II Agencies	4	57
Total Number of Phase II Agencies	15	22
Total Number of Children Placed by Phase II Agencies	191	209

The use of contiguous states or Mexico, along Texas' long borders, for the placement of children in 1978 by local Phase II agencies reporting destinations is illustrated in Figure 44-3. Only 26 percent of the children for whom destinations were reported by child welfare agencies were sent to settings in these states. In contrast 52 percent of the juvenile justice placements went to these four states and Mexico. New Mexico received the largest number of children from these public agencies, predominantly from juvenile justice agencies, as mentioned earlier. Oklahoma received the next largest number of children, 32, almost equally from the two agency types. Phase II child welfare placements made up the larger portion of the children reported to be in Louisiana, which received 30 Texas children in 1978. In total, only 37 percent of the placements for whom Texas local Phase II agencies placing more than four children reported upon went to settings in the border states or Mexico.

FIGURE 44-3. TEXAS: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO TEXAS BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II child welfare agencies reported destinations for 187 children. Local Phase II juvenile justice agencies reported destinations for 152 children.

Phase II agencies were asked to describe the reasons for making these placements. Their responses are given in Table 44-9. Two-thirds of the 15 Phase II child welfare agencies responding to this question stated that children were placed into other states in 1978 in order to live with relatives other than parents. From six to seven agencies said that the placement was an alternative to Texas institutions, that Texas lacked services comparable to the receiving states, and that children were placed out of state because of previous agency success with particular receiving facilities. One or two agencies gave responses to the remaining reasons offered, except to placing a child into an out-of-state setting which was closer to home than one in Texas.

The local Phase II juvenile justice agencies gave all the reasons for out-of-state placement offered for explanation and also had the highest response to using out-of-state residential settings as an alternative to in-state public institutionalization.

TABLE 44-9. TEXAS: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting	
	Child Welfare	Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0	5
Previous Success with Receiving Facility	6	13
Sending State Lacked Comparable Services	6	7
Standard Procedure to Place Certain Children Out of State	2	4
Children Failed to Adapt to In-State Facilities	1	10
Alternative to In-State Public Institutionalization	7	17
To Live with Relatives (Non-Parental)	10	15
Other	4	9
Number of Phase II Agencies Reporting	15	22

a. Some agencies reported more than one reason for placement.

The same agencies reporting reasons for out-of-state placements also described the setting most frequently selected to receive children going to other states. Table 44-10 indicates that the reporting child welfare agencies most often sent children to either live with relatives or to adoptive homes. Relatives' homes were also the most common setting choice for the majority of local juvenile justice agencies. Three agencies reported group homes were used most often in 1978, and single agencies reported using residential treatment/child care facilities, boarding/military schools, or foster homes most frequently.

TABLE 44-10. TEXAS: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting	
	Child Welfare	Juvenile Justice
Residential Treatment/Child Care Facility	0	1
Psychiatric Hospital	0	0
Boarding/Military School	0	1
Foster Home	0	1
Group Home	0	3
Relative's Home (Non-Parental)	7	11
Adoptive Home	8	0
Other	0	5
Number of Phase II Agencies Reporting	15	22

An additional piece of information collected from agencies placing more than four children out of Texas in 1978 related to methods used to monitor children's progress in placement and the frequency with which they were undertaken. Table 44-11 shows that the local Phase II child welfare agencies generally received written progress reports, eleven agencies requesting them on a quarterly basis, two semiannually, and one on an irregular basis. These agencies also employed other methods, such as telephone calls or visits on a quarterly, annual, or irregular basis.

The 22 local Texas juvenile justice agencies which placed more than four children reported receiving written progress reports, calling, and visiting to monitor children in out-of-state placements in 1978. The written progress reports and telephone calls occurred quarterly, semiannually, or at time intervals other than those offered for description. Two agencies reported on-site visits that occurred semiannually, while seven agencies reported no specific time interval for these visits.

TABLE 44-11. TEXAS: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a]	
		Child Welfare	Juvenile Justice
Written Progress Reports	Quarterly	11	6
	Semiannually	2	3
	Annually	0	0
	Other[b]	2	5
On-Site Visits	Quarterly	0	0
	Semiannually	0	2
	Annually	1	0
	Other[b]	1	7

TABLE 44-11. (Continued)

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a] Child Welfare	Juvenile Justice
Telephone Calls	Quarterly	6	2
	Semiannually	0	2
	Annually	0	0
	Other[b]	8	10
Other	Quarterly	1	2
	Semiannually	1	0
	Annually	0	0
	Other[b]	2	7
Total Number of Phase II Agencies Reporting		15	22

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

The last piece of information gathered from those Phase II agencies related to the amount of public expenditures used for such placements in 1978. Nine child welfare agencies reported spending a total of $33,356 and 20 juvenile justice agencies reported to have collectively paid $66,450 for placement purposes.

D. Use of Interstate Compacts by State and Local Agencies

The extent to which interstate compacts were utilized by Texas local agencies is described in the following tables and figures. Table 44-12 refers to the local agencies' utilization of the compacts without regard to the number of placements arranged. All of the child welfare agencies reported using a compact in the arrangement of at least a portion of their placements. The Interstate Compact on the Placement of Children (ICPC) was most often named as the compact used by these child welfare agencies, although incidence of the other two compacts' use was reported. The majority of local school districts, on the other hand, reported arranging placements without any use of a compact in 1978. One school district did not know whether a compact was used. The infrequent use of a compact by these districts may be explained by the fact that placements made to institutions providing solely educational services are not subject to any compact provisions.

The Texas local juvenile justice agencies' compact utilization was nearly evenly divided. Fifty-four percent of the agencies reported not using an interstate compact. Of these agencies that did report compact utilization, only the ICJ was used.

TABLE 44-12. TEXAS: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Local Agencies Which Placed Children Out of State	Number of AGENCIES		
	Child Welfare	Education	Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	37	7	30
• Number Using Compacts	37	0	13
• Number Not Using Compacts	0	6	16
• Number with Compact Use Unknown	0	1	1
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	15	0	22
• Number Using Compacts	15	--	10
Interstate Compact on the Placement of Children			
Yes	14	--	0
No	1	--	22
Don't Know	0	--	0
Interstate Compact on Juveniles			
Yes	2	--	10
No	12	--	11
Don't Know	1	--	1
Interstate Compact on Mental Health			
Yes	1	--	0
No	13	--	22
Don't Know	1	--	0
• Number Not Using Compacts	0	--	12
• Number with Compact Use Unknown	0	--	0
TOTALS			
Number of AGENCIES Placing Children Out of State	52	7	52
Number of AGENCIES Using Compacts	52	0	23
Number of AGENCIES Not Using Compacts	0	6	28
Number of AGENCIES with Compact Use Unknown	0	1	1

-- denotes Not Applicable.

To further understand the utilization of interstate compacts by Texas local agencies, Table 44-13 provides information on the number of children who were processed through a compact by the local agencies. As described in the previous table, all local child welfare agencies utilized a compact and Table 44-13 reflects that the majority of placements made by these agencies were, in fact, processed through a compact. Only 12 placements were definitely not arranged through a compact,and 42 other children's

placements were reported with compact utilization being undetermined. Of the 42 placements, 36 were arranged by agencies which placed four or less children out of state in 1978. Therefore, these agencies were not asked to report the actual number of compact-arranged placements.

As expected, the local Texas school districts did not use a compact for the placement of seven children. The remaining one child's placement relation to compact utilization was undetermined. Similar to the compact utilization trend mentioned in Table 44-13, 65 percent of the 260 children placed by the local juvenile justice agencies were not processed through an interstate compact. Of the remaining placements, compact use was not determined for 27 children placed out of Texas.

TABLE 44-13. TEXAS: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN		
	Child Welfare	Education	Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	73	8	51
• Number Placed with Compact Use	37	0	13
• Number Placed without Compact Use	0	7	23
• Number Placed with Compact Use Unknown[a]	36	1	15
CHILDREN PLACED BY PHASE II AGENCIES	191	0	209
• Number Placed with Compact Use[b]	173	--	52
Number through Interstate Compact on the Placement of Children	167	--	0
Number through Interstate Compact on Juveniles	5	--	52
Number through Interstate Compact on Mental Health	1	--	0
• Number Placed without Compact Use	12	--	145
• Number Placed with Compact Use Unknown	6	--	12
TOTALS			
Number of CHILDREN Placed Out of State	264	8	260
Number of CHILDREN Placed with Compact Use	210	0	65
Number of CHILDREN Placed without Compact Use	12	7	168
Number of CHILDREN Placed with Compact Use Unknown	42	1	27

TABLE 44-13. (CONTINUED)

— denotes Not Applicable.

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

b. If an agency reported using a compact but could not report the number of placements arranged through the specific compact, one placement is indicated as compact arranged and the others are included in the category "number placed with compact use unknown."

Figues 44-4, 5, and 6 illustrate, by agency type, the findings from Table 44-13. Local child welfare agencies report the highest utilization of interstate compacts, Figure 44-4 showing 80 percent of the total child welfare placements compact processed. In contrast, none of the education placements (Figure 44-5) and one-fourth of the juvenile justice placements (Figure 44-6) were arranged through compacts.

FIGURE 44-4. TEXAS: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL CHILD WELFARE AGENCIES IN 1978

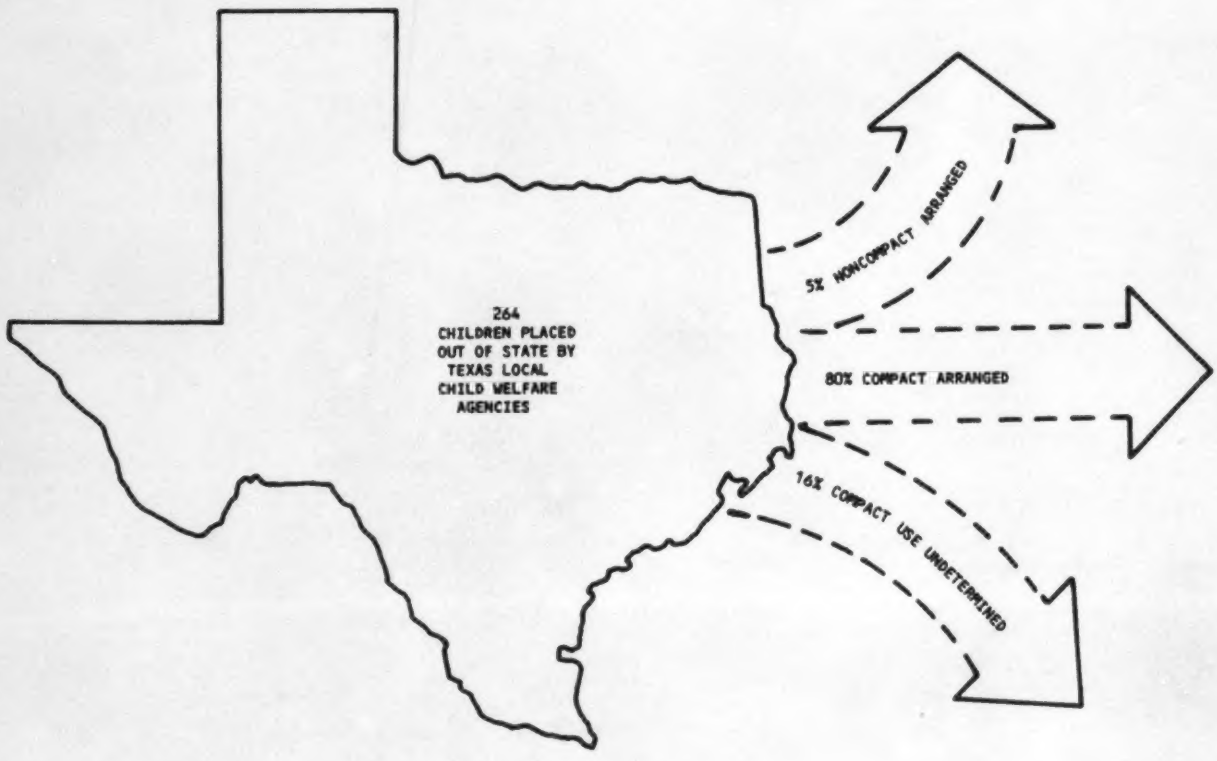


FIGURE 44-5. TEXAS: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978

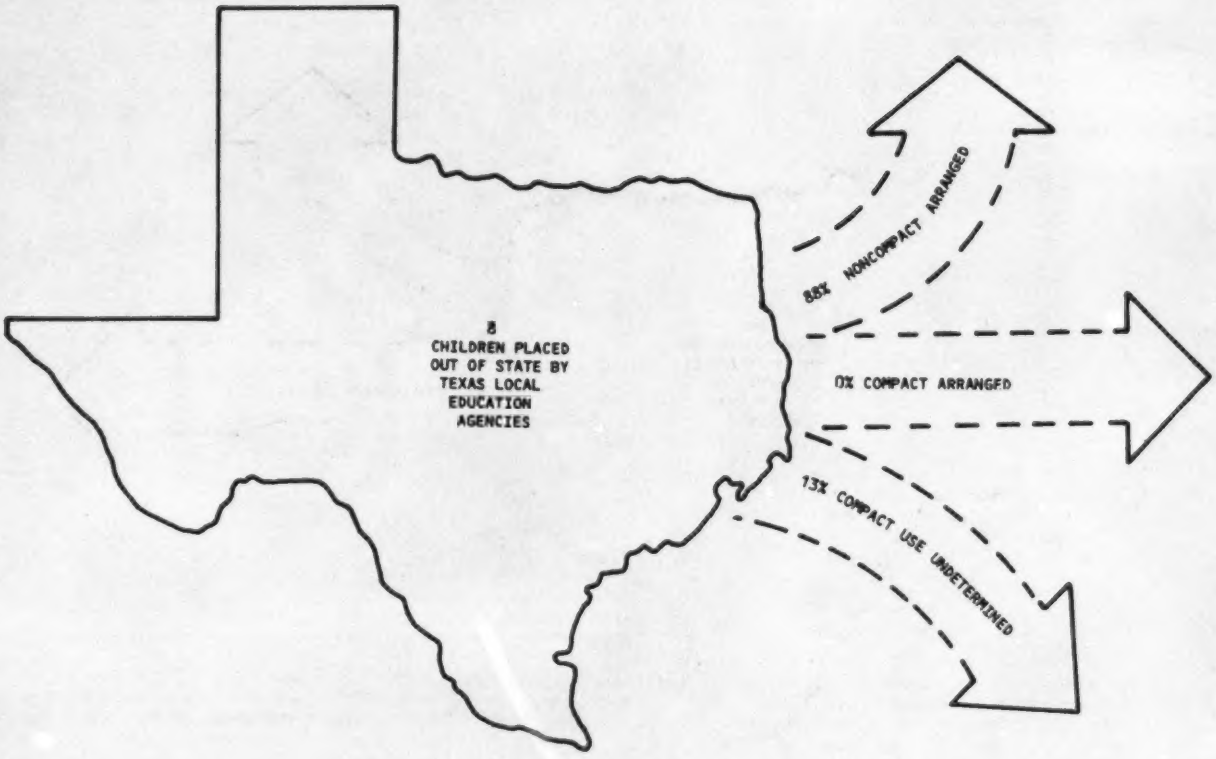
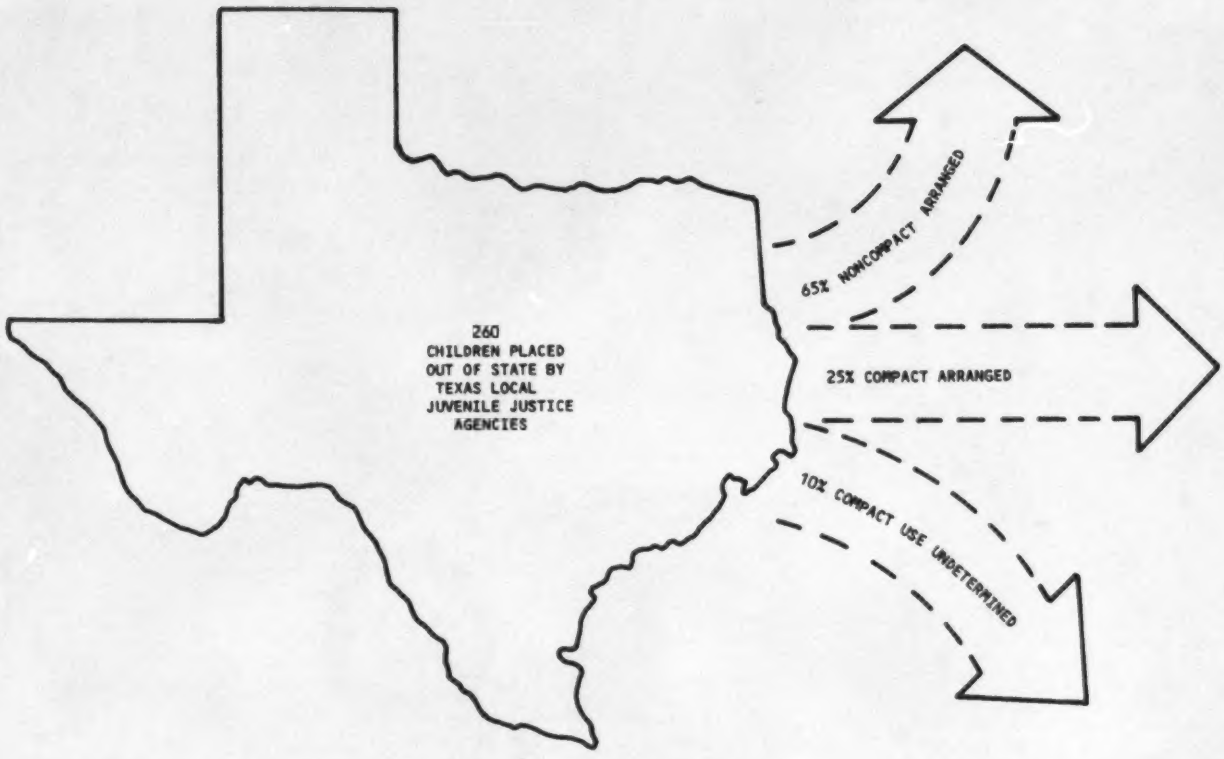


FIGURE 44-6. TEXAS: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978



Texas state agencies were asked to report their knowledge of interstate compact use in 1978 and their responses are shown in Table 44-14. The state child welfare agency was unable to report this information in the form requested in the survey. Like the local school districts, the state education agency reported no children were sent out of Texas with the use of a compact. Forty-two children were placed out of state with the use of a compact, according to the state juvenile justice agency, while all six placements known to the state mental health and mental retardation agency were compact arranged.

TABLE 44-14. TEXAS: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency-Arranged Placements	*a	11	*b	6
Total Number of Compact-Arranged Placements Reported by State Agencies	*	0	42	6
Percentage of Compact-Arranged Placements	*	0	*	100

* denotes Not Available.

a. The local child welfare agencies reported placing 264 children out of state. The state child welfare agency reported being involved in the out-of-state placement of an estimated 142 children in 1978, but this included placements with parents living outside of Texas.

b. The local juvenile justice agencies reported arranging 260 out-of-state placements in 1978. The state juvenile justice agency reported 42 placements, but could not report on state or local involvements with these placements.

E. The Out-of State Placement Practices of State Agencies

The incidence of placement information that was introduced in Table 44-2 by Texas state agencies is expanded in Table 44-15. The ability of state agencies to report their involvement in out-of-state placement in 1978 is indicated by incidence reports and involvement categories. The only state agency which was unable to thoroughly identify its involvement was the Department of Human Resources. However, this agency was able to report that 142 children were placed out of Texas in the reporting year, but this number included placements with parents living outside the state. It should also be recalled from section III of this profile that some disagreement exists among Texas government officials as to the aegis of government operating child welfare services in each Texas county. The 12 regional offices of DHR were able to respond for every one of the 254 agencies located in the counties. The number of placements, however, determined to have been arranged by these 254 offices was much higher than the number reported by the central DHR office, even with parental placements included.

The Department of Education reported arranging and funding three placements out of state in 1978, and funding the seven locally arranged education placements made by school districts. In addition, the department had knowledge of one additional reported placement, which was locally arranged and funded and reported to the state.

The Texas Youth Council (TYC) directly arranged the placement of 11 children out of Texas in 1978 and reported 31 other placements for which TYC or local agency involvement was not specified. The total of 42 youth placed out of state in the reporting year is far smaller than the number of children reported to be placed by the local juvenile probation agencies and courts. The Department of Mental Health and Mental Retardation reported arranging and funding six out-of-state placements and accurately reported that local agences had no placement involvement in the reporting year.

TABLE 44-15. TEXAS: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by state agencies			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Arranged and Funded	0	3	*	6
Locally Arranged but State Funded	0	7	0	0
Court Ordered, but State Arranged and Funded	0	0	*	0
Subtotal: Placements Involving State Funding	0	10	*	6
Locally Arranged and Funded, and Reported to State	*	1	*	0
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	*	0	11	0
Other	*	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	*	11	42	6

* denotes Not Available.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Table 44-16 indicates that specific destination data for children placed in 1978 was only available from the Department of Education and the Department of Mental Health and Mental Retardation. The education agency reported four children were placed in 1978 in Alabama and Kansas residental settings and that Illinois, Louisiana, and Oklahoma each received one child. Two children each were sent by DMHMR to California and Missouri, while the remaining two children went to Arkansas and Oklahoma.

TABLE 44-16. TEXAS: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of Children Placed			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Alabama		4		0
Arkansas		0		1
California		0		2
Illinois		1		0
Kansas		4		0
Louisiana		1		0
Missouri		0		2
Oklahoma		1		1
Placements for Which Destination Could Not be Reported by State Agencies	All	0	All	0
Total Numbers of Placements	*	11	42	6

State agencies also provided descriptive information about the children placed out of state. The conditions and statuses of the children placed in 1978 are indicated in Table 44-17. The state child welfare agency was involved in placing children with every characteristic available for description except juvenile delinquency. Those characteristics consisted of all types of disorders (including these responded to by other agency types), such as developmentally disabled, mentally handicapped, and emotionally disturbed children. Statuses such as foster and adopted children were also mentioned along with the others.

The Department of Education gave responses to the physically and mentally handicapped conditions, emotionally disturbed, and multiply handicapped ("other" category) to describe children placed out of Texas in 1978. The state juvenile justice agency reported placing only juvenile delinquents, and DMHMR described children placed out of state as being mentally handicapped.

TABLE 44-17. TEXAS: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Physically Handicapped	X	X	0	0
Mentally Handicapped	X	X	0	X
Developmentally Disabled	X	0	0	0
Unruly/Disruptive	X	0	0	0
Truants	X	0	0	0
Juvenile Delinquents	0	0	X	0
Emotionally Disturbed	X	X	0	0

TABLE 44-17. (Continued)

Types of Conditions	Agency Type[a]			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Pregnant	X	0	0	0
Drug/Alcohol Problems	X	0	0	0
Battered, Abandoned, or Neglected	X	0	0	0
Adopted Children	X	0	0	0
Foster Children	X	0	0	0
Other	0	X	0	0

a. X indicates conditions reported.

The out-of-state setting most frequently selected by both the state child welfare agency and the juvenile justice agency in 1978 was relatives' homes. The Department of Education most frequently selected residential educational facilities in that year and DMHMR chose to use psychiatric hospitals as out-of-state residential settings.

Texas state agencies were asked to provide information about 1978 expenditures for out-of-state placement. The Department of Education was the only state agency reporting this information, spending $88,281 in state funds for that purpose. DMHMR did report that only state funds were used for its placements, but could not report the amount.

F. State Agencies' Knowledge of Out-of State Placements

Table 44-18 reviews the out-of-state placement involvement of Texas public agencies and each state agency's knowledge of this placement activity. Unfortunately, the state child welfare agency could not report the number of children placed out of Texas in 1978 without including placements made to parents' homes. However, the 142 children known by this state agency to have been placed (including with parents) was far less than the 264 out-of-state placements reported by the local agencies.

The state education agency was able to provide information about its own and local school districts' out-of-state placement activity in 1978. Eleven children were reported to have been sent out of Texas in that year. Similarly, the state mental health and mental retardation agency had complete knowledge about state and local placements in its areas of service, reporting six children sent out of state with state agency involvement.

Because the state juvenile justice agency could not always distinguish between state and local agency involvement in out-of-state placements (see Table 44-15) it is not certain what proportion of the 260 locally reported placements were known to the state agency. It did, however, only report knowledge of 42 children being placed out of Texas in 1978.

TABLE 44-18. TEXAS: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	*[a]	11	*[b]	6
Total Number of Placements Known to State Agencies	*	11	42	6
Percentage of Placements Known to State Agencies	*	100	*	100

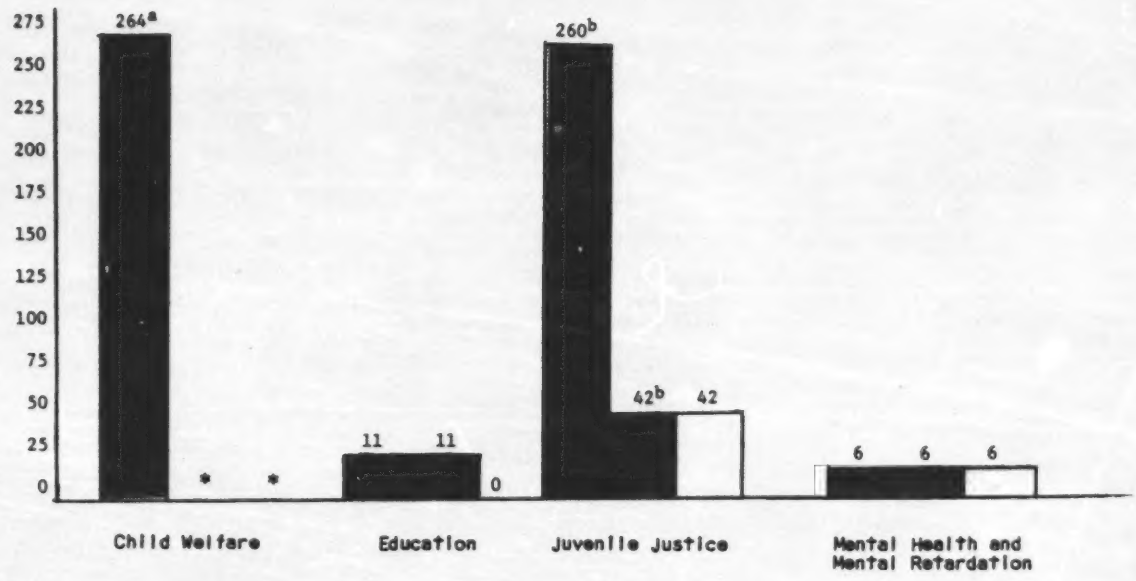
* denotes Not Available.

a. The local child welfare agencies reported placing 264 children out of state. The state child welfare agency reported being involved in the out-of-state placement of an estimated 142 children in 1978, but this included placements with parents living outside of Texas.

b. The local juvenile justice agencies reported arranging 260 out-of-state placements. The state juvenile justice agency reported 42 placements, but could not report on state or local involvement.

The discrepancies in state and local agencies' placement reports in the child welfare and juvenile justice service areas are illustrated in Figure 44-7. It should be recalled from Table 44-13 that a larger number of locally arranged placements were reported to have been arranged through interstate compacts by the child welfare and juvenile justice agencies than their counterpart state agencies reported, despite the state agencies' administration of interstate compacts.

FIGURE 44-7. TEXAS: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



* denotes Not Available.

State and Local Placements

State and Local Placements Known to State Agencies

State and Local Compact-Arranged Placements Reported by State Agencies

a. The local child welfare agencies reported placing 264 children out of state. The state child welfare agency reported being involved in the out-of-state placement of an estimated 142 children in 1978, but this included placements with parents living outside of Texas.

b. The local juvenile justice agencies reported arranging 260 out-of-state placements. The state juvenile justice agency reported 42 placements, but could not report on state or local involvement.

V. CONCLUDING REMARKS

Some general conclusions can be drawn about the out-of-state placement practices of state and local agencies in Texas. The disagreement among state and local officials about what level of government operates child welfare services in Texas' counties holds implications in itself, but also in relation to the information collected in this survey. The central office of the Department of Human Resources had difficulty in reporting information about out-of-state placements which occurred in 1978 in the form requested. The regional offices of DHR were able to provide this information for all 254 county offices and the total number of placements attributed to these offices, whether they are state or locally operated, varied significantly from the estimated figure offered by the state office. This may be reflective of the highly decentralized system for child welfare services in Texas. In contrast, the Department of Education was able to accurately provide the number of placements arranged by the 1,078 local school districts, indicating a strong regulatory capability. A few other trends in the foregoing survey results deserve mention.

- Local child welfare and juvenile justice agencies placing more than four children out of Texas in 1978 (Phase II agencies) used residential settings for the placement of children in the 25 and 36 states, respectively, as well as a foreign country. There was a slight tendency on the part of these agencies to use states bordering Texas, but the majority of children were placed in states throughout the continental United States.

- All local child welfare agencies in Texas reported utilizing an interstate compact for at least some portion of their out-of-state placements in 1978. In contrast, only about one-half of the local juvenile justice agencies used these interstate agreements for processing nearly 65 percent of their reported placements. It appears these noncompact-arranged placements were not known to the state juvenile justice agency, which reported full compact utilization for a much smaller number of children.

- Both the state and local Texas child welfare agencies, as well as the local juvenile justice agencies, reported sending children out of state in 1978 with a wide variety of conditions or statuses, primarily to the homes of relatives and equally to adoptive homes, in the case of local child welfare agencies. However, only a small number of local agencies reported placing mentally ill or emotionally disturbed children out of Texas, and no such placements were reported by the local mental health and mental retardation agencies or the state agency.

- Local Texas school districts were seldom involved in placing children out of state in the reporting year. Local agencies of all service types which did not place children out of state predominantly reported that sufficient services within Texas made such placements unnecessary. Ironically, out-of-state placement is primarily an urban phenomenon in Texas, with at least 71 percent of the reported placements made in 1978 coming from agencies serving SMSA counties.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Texas in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

*U.S. GOVERNMENT PRINTING OFFICE: 1982-0-361-233/1899